Bombay Gazette.

Published Twice a Week—ON WEDNESDAY AND SATURDAY MORNING.—*Price Rupees* 13 *per Quarter.*

VOLUME XLVI.] SATURDAY, JULY 4, 1835. [No. 2,500.

FRESH CHINA AND OTHER GOODS, FOR SALE BY AUCTION.

BECK AND CO.

ON Tuesday next, 7th inst. will be put up for public sale at their Rooms, the following China and other Goods lately imported viz., 50 ten sets boxes of excellent Souchong Tea, two sets of handsome white and Gilt Dish Covers, 400 pieces of double and single floor matting, 300 packs of Visiting Cards, a few dozens of Honey and Hungary water, a quantity of Bengal hooka Tobacco, 50 reams of Europe Letter Paper, 100 thousand best Percussion Gun Caps, sundry Plated Ware, comprising Liquor, and Egg stands, Butter Pots, Curry Dishes, Bottle stands, Salvers &c., a considerable assortment of Glass Ware, about 250 uncleared Lots, Sundry Wines, Liquors and Beer, a variety of useful Household Furniture, and at 1 P. M. any Vehicles, Horses and other Cattle that may offer.

Apollo House, 4th July, 1835.

ON Monday, the 13th of July Inst., Messrs. FRITH, BOMANJEE and Co., will sell by Public Auction, at his residence "Fox Hall" Byculla, the Household Furniture and Property, of GEO. LETTSOM ELLIOTT, Esq. Civil Service, quitting India.

Further particulars will be published in future advertizements, and in Catalogues, and the Property be on view from, Friday the 10th Inst.

Nesbit Lane, 4th July, 1835.

FOR Sale at the Godown of Messrs. FERGUSSON, TURNER AND Co, the following Wines, of superior quality viz :—

Port in Quarts.....	at Rs.	25	per dozen.
Do. in Pints.....	"	13	do.
Pale Sherry in Quarts....	"	20	do.
Do in Pints.....	"	12	do.
Very Pale Sherry in Pints	"	12	do.

Pints in 6, and Quarts in 3 dozen Cases, Terms—Cash.

Bombay, 4th July, 1835.

FOR SALE,—At the Godowns of Messrs. RITCHIE, STEUART and Co., the undermentioned Wines and Brandy.

From Barton and Guesteir of Bordeaux—

Barsac.....	at Rs.	25	per dozen }
Red Hermitage..	at "	30	" }
Leovill Claret...	at "	20	" } In one dozen
Monton Do.....	at "	20	" } Cases.
St. Julian Do....	at "	15	" }
Fine Cognac.....		12	" }

From Shaw and Maxwell of London.

Very superior Sherry at	Rs	25	per dozen } In 3 do-
" Brown Do..	at "	15	" } zen cases.

Bombay, 4th July, 1835.

FOR SALE.—Marryat's Signals,.....Rs. 2
Respondentia Bonds, each.. " 1
Ships Articles..... " 1
Policies of Insurance,..... " 2
Bills of Exchange, per set, qrs. 2
Interest Bonds,..... " 2
Bills of Lading..... " 2
Powers of Attorney, each .... " 2

☞ Orders for Letter Press, and Copper Plate Printing, punctually attended to.

GAZETTE OFFICE, *4th July*, 1835.

A NEW FARRIER'S SHOP.

MUNGESH AND Co. beg to acquaint the public in general, that they have opened, at Fuckerjee's Stable, next door to Mulna Hutchim's, an Establishment in which Horses will be shod, and veterinary aid afforded, M & Co. have employed skilful European hands, eminently adequate to the performance of their duties.

M. and Co. further begs to say that they will undertake the breaking of Horses for draught, and for the Saddle, for Ladies and Gentlemen. Breakers certificate will be produced if necessary, shewing their capabilities for their duties.

Bombay, 4th July, 1835.

TO BE LET.

A well known airy residence called Fox Hall, now in the occupation of G. L. Elliott, Esq.

Do. Do. Lately in the occupation of Wm. Fenwick, Esq.

Apply to JUGONNATHJEE SUNKERSETT, Esq.

Bombay, 4th July, 1835.

For London Direct.

THE FINE FIRST CLASS SHIP

ALIQUIS;

JOHN MCFEE, COMMANDER,

BURTHEN per Register 700 Tons. tion for Passengers, and will be dispatched on the 10th Instant. For terms of passage, apply to DUNCAN GIBB AND Co.

Bombay, 4th July, 1835.

For Freight or Passage to China.

THE new British built Ship PESTONJEE BOMANJEE, 600 Tons Register, JAMES THOMPSON Commander, carries a Surgeon and will have quick despatch. Apply to Messrs. FERGUSSON, TURNER AND Co.

Bombay, 4th July, 1835.

For London.

THE British Built Ship WILLIAM TURNER, CHARLES LEITCH Commander, 500 Tons Ⲫ Register, has excellent poop accommodation for passengers, carries a Surgeon and will have early despatch, for terms of freight or passage, apply to Messrs. FERGUSSON, TURNER AND Co.

Bombay, 4th July, 1835.

GENERAL ORDERS

BY THE RIGHT HON'BLE THE GOVERNOR IN COUNCIL.

MILITARY DEPARTMENT.

Bombay Castle, 23rd June, 1835.

No. 318 of 1835.—The Right Honorable the Governor in Council is pleased to publish for general information the following general order by the Honorable the Governor General of India in Council, dated at Fort William, 1st June 1835.

No. 138 of 1835.

GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Fort William, 1st June 1835.

The following Extracts from a letter, No. 65, from the Honorable the Court of Directors, to the Governor of the Presidency of Fort William in Bengal, under date the 17th December 1834, are published in general orders.

"We have no hesitation in expressing our opinion, that officers have no strict right to succeed to the appointments of brigadier general, on the ground of mere seniority; these being staff appointments involving both confidence and responsibility,—But we must express our firm reliance on the discretion and good feeling of our several governments, that the claims of officers to these or any other appointments arising out of length of service, will never be set aside, except on public grounds.

With respect to the question raised, as to the disqualification of colonels eligible by seniority to divisional commands, to hold certain officers, which they could not hold under the present regulations as general officers,—We are of opinion, that colonels so situated ought to have the option of either retaining their appointments, or of succeeding to divisional commands as brigadier general, but if they prefer the retention of their offices, the divisional commands should not afterwards be open to them except in special cases, to be determined by government, and reported to us for our approbation and sanction.

The same principle ought to be applied in the case of senior brigadiers waving their right to succeed to divisional commands. If they prefer remaining as brigadiers, the superior appointment of brigadier general ought not, in our opinion to be open to them except in special cases.

All the members of your government concur in recommending that general officers or colonels at home, appointed by us to divisional commands, should not displace officers previously in possession of these appointments, but wait the occurrence of vacancies after their arrival at the respective Presidencies. In compliance with your recommendation we direct, that henceforth, a general officer or colonel appointed by us to a divisional command, shall not succeed to that command until the occurrence of a vacancy, unless we shall have specially directed otherwise.

On the last case put by the governor general, the possibility of their being in India, supernumerary major generals in the Company's service. We concur in opinion with him and the other members of your government, that no reason exists why major generals should in that event vacate any offices or staff appointments of which they may be in possession, until it actually comes to their turn to accept or decline divisional commands, when the same rule will apply to them as we have now directed to be applied to colonels holding staff appointments."

(Signed) W. CASEMENT, Col.
Secy. to the Govt of India, military department.

Bombay Castle, 25th June, 1835.

No. 319 of 1835.—Surgeon Bird, of the 18th regiment native infantry, has been directed, by a resolution passed in the general department under date the 22nd instant, to afford medical aid to the European and native servants of the sub-collectorate of Baguikota, *vice* assistant surgeon Hughes, ordered to Ahmednuggur.

No. 320 of 1835.—The following temporary arrangements are confirmed:—

Captain J. Worthy, of the 18th regement native infantry, to perform the commissariat duties at Kulladghee during the absence of captain Corsellis on duty, or until further orders.

Brevet captain P. Hennesy, of His Majesty's 20th regiment, to act as interpreter, and lieutenant E. A. Guerin to act as quarter master and pay master to the 14th regiment native infantry, during the absence of lieutenant Burrows, on leave.

Lieutenant N. H. Thornbury of the 4th regiment native infantry, to act as interpreter in the Hindustanee and Maharatta languages to that regiment, until the arrival of lieutenant Lucas, after which period he will retain the interpretership in Mahratta only.

Lieutenant and fort adjutant F. H. Brown, to perform the duties of interpreter to the 3rd regiment native infantry, during the period captain Hallett may hold charge of the regiment, or until the arrival of the officer appointed to that situation.

No. 321 of 1835.—The following temporary arrangement is made:—

Lieutenant P. Williams, of the 2nd or grenadier regiment native infantry, to act as brigade major at Sholapore, *vice* lieutenant P. W. Clark, appointed adjutant to the 2nd or grenadier regiment native infantry.

No. 322 of 1835.—The following appointment is made:—

Commissariat Department.

Acting sub-conductor J. McDonald to be sub-conductor *vice* Trenn deceased. *Date of appointment*, 25th April 1835.

No. 323 of 1835.—Lieutenant P. Brougham, of the engineers, is allowed a furlough to Europe, for the benefit of his health.

Bombay Castle, 26th June, 1835.

No. 324 of 1835.—The Right Hon'ble the Governor in Council is pleased to publish for the information and guidance of the several station and regimental committees the following statement, shewing the amount of prize money due to the different ranks for the 2nd distribution of the general captures of the Deccan Booty.

		£	s.	d.	SRs	A.	P.
Europeans.	Lieutenant Colonel.....	446	12	9½	2690	9	7
	Major &c....	104	6	6½	793	1	8
	Captains and Surgeons....	82	4	3	896	13	10
	Subalterns and assistant surgeons.....	41	2	1½	448	6	11
	Troop quarter masters, conductors, &.....	10	5	6½	112	1	8
	Staff serjeants, sub-conductors &.....	2	1	1½	22	6	8
	Serjants.....	1	7	5	14	15	1
	Corporals, privates, farriers trumpeters, &c.....	0	15	8½	7	7	6
Natives.	Subedars, Syrangs &c.....	..	..	..	44	15	5
	Jemedars, 1st tindels &c..	..	..	..	14	15	1
	Havildars, 2nd tindels &c..	..	..	..		7	6
	Naiques, Drummers Farriers, Sepoys, Puckalies Lascars, pioneers, 2nd Guide, &c.....	..	..	..	4	15	8

N. B. Bombay rupees 350 per 325 siccas:—

Bombay Castle, 29th June, 1835.

No. 325 of 1835.—The Right Hon'ble the Governor in Council is pleased to direct, that the following rules regarding barrack furniture, be introduced from the 1st proximo.

All articles of the description specified in the following list marked A are to be supplied by the commissariat department, and those in the following list marked B, be made at the gun carriage manufactory, when required at the presidency, and by the ordnance department, when required for out-stations.

The charge of barracks and of barrack furniture whether in use or store at all stations, is vested in the officer of the quarter master general's department or the station staff officer acting in that capacity. An allowance of rupees 50 per mensem is granted to each of such officers at the stations of Ahmednuggur, Belgaum and Deesa, to cover all office expences.

Regiments and departments will make out their indents for all new barrack furniture at the presidency on the barrack master, and at out-stations on the officer of the quarter master general's department or station staff officer, acting in that capacity, and these officers will complete their established proportions by annual or quarterly indents on the gun carriage, ordnance, or commissariat departments, as the case may be. At stations where there is no ordnance department and where there are no European troops, the barrack furniture will be supplied from the nearest depôt or be made up by the officer in charge of barrack stores, on a contingent bill, as may be deemed most expedient by the quarter master general.

The repairs of fixtures and fastenings of buildings in regimental charge and to all barrack furniture, including the tinning of cooking pots, will be executed at the presidency by the barrack master, and at out-stations by the officer of the quarter master general's department or station staff officer in charge of barrack stores, and the amount expended will be drawn by a contingent bill, affording every requisite informat on regarding the expenditure of material and the cost of labour.

List of barrack stores to be furnished by the commissariat department.

Casks water.	Locks pad brass single.
Cloth green baize.	,,.....,,.. Iron double,
Cocks brass.	,,.....,,.... single.
Coffee, mills.	Measures copper of sorts.
,,.. Roasters.	Moots leather for wells.
Funnels for spirits.	Pumps spirits.
Glass time.	Rods iron lamps,
Gong metal.	Rollers stone.
Kettle coper camp.	Ropes moot sets.
,,.....,,.....Cover-	Steel yards.
,,.....,,.....Dish.	Traps rat iron.
Lamp brass hanging.	,,..,, ..wooden.
,,.. Standing.	Tubs grog.
Lanterns tin.	,,.. Urinal.
Locks pad brass double.	

B.

List of Barrack stores to be furnished by the ordnance department.

Bars leaping.	Handcuffs iron.
Benches wooden.	Horses wooden.
Blocks chopping.	Logs with chains.
Boxes sentry wooden,	Mallets gong.
Chairs office.	Presses wooden.
Chests arm.	Backs arm moveable,
,,.. Clothing,	,,.. Clothing and belt.
,,.. Treasure iron.	Stamp iron barrack stores,
,,.....,,.... Wooden,	Steps wooden.
Cot Boards,	Stocks iron.
,,.. Trestles.	,,.... Wooden.
Couches.	Stools office.
Desks with book cases.	Tables camp,
,,.... without ditto.	,,.... Drawing.
Frames gerry.	,,.... Folding.
,,.... Target oblong.	,,.... Mess.
,,.....,,.. Round.	

No 326 of 1835.—The Right Hon'ble the Governor in Council is pleased to direct, with reference to the general order dated the 20th of March 1834, (No. 142) that the appointment of native riding master to the regiments of light cavalry, be discontinued, excepting when a wing of a regiment is detached.

By Order of the Right Honorable the Governor in Council,
E. M. WOOD, Lieut. Col.
Secy. to Govt.

MARINE DEPARTMENT.

Bombay Castle, 22nd June, 1835.

No. 30 of 1835.—Captain Cogan is permitted to proceed to Europe, on furlough, for three years, from the date of his embarkation.

By Order of the Right Hon'ble the Governor in Council,
(Signed,) E. M. WOOD, Lieut. Col.
Sec. to Govt.

CIVIL APPOINTMENTS, &c.

JUDICIAL DEPARTMENT,

Bombay Castle, 29th June, 1835.

Mr. Hunter has been appointed by the Right Hon'ble the Governor in Council, to be acting assistant judge at Sholapoor.

Mr. A. Bell, senior, to be judge and session judge at Poona and agent for sirdars in the Deccan, from the 1st proximo.

Bombay Castle, 1st July, 1835.

The appointments of Mr. J. W. Woodcock, Mr. W. Birdwood and Mr. W. E. Frere, as published in the Government Gazette of the 14th May last, have effect from the d[illegible] of Mr. Andr[illegible] rope.

the Governor in Council,
C. NORRIS,
Chief Secy. to Govt.

TERRITORIAL DEPARTMENT.

REVENUE.

Bombay Castle, 25th June, 1835.

Mr. E. Borton, passed his examination in the regulations of government on the 27th March last, and not on the "27th ultimo," as stated in the notification of the 2nd, published in the Government Gazette of the 4th instant.

Mr. P. Scott's leave of absence for eighteen months, as notified in the Government Gazette of 14th May last, was granted on sick certificate, and not on account of private affairs.

Bombay Castle, 30th May, 1835.

Mr. G. Coles, second assistant to the collector of Rutnageeree, is to act as first assistant at that station, under section XXII, of the absentee regulation, until further orders.

Bombay Castle, 1st July, 1835.

Mr. N. Hornby's appointment to be sub-collector of Sholapoor, and acting collector of Tannah, is to have effect from the date of Mr. Andrew's departure for England.

Mr. H. B. E. Frere, assistant to the principal collector of Poona, is to be deputed to Indapoor, and is to draw deputation allowance whilst employed in that pergunnah,

By order of the Right Hon'ble the Governor in Council,
L. R. REID,
Secy. to Govt.

DOMESTIC OCCURRENCES.

BIRTHS.

On the 22nd ultimo, at her Father's House at Colabah, the Lady of Ensign David Dempster Chadwick, of the 8th Regiment of Native Infantry, of a Son; prematurely born, who died about one hour after his birth.

At Kirkee, on the 20th of June, the Lady of Lieut. J. H. T. Warde, of H. M. 4th Light Dragoons, of a Daughter.

At Poona, on the 27th ultimo, the Wife of Mr. John Vitters, Assistant Apothecary 2d. Troop Horse Brigade, of Twin Sons.

MILITARY ARRIVALS AND DEPARTURES.

ARRIVALS.

Ensign T. Minster, 11th Regt., from Caranjah.
Lieut. C. Munro, 16th Regt. N. I., from Panwell.

DEPARTURE.

Ensign T. Minster, 11th Regt. to Caranjah.

SHIPPING REPORT.

ARRIVALS—None.

DEPARTURES.

July 2nd,—Barque Kent, J. B. Coubro, Master, for London.

VESSELS EXPECTED TO SAIL.

Vessels names.	Date of intended departure.	To what port.	Touching were.
Urania.....	5th July....	Canton,..	Uncertain.
Keiro.....	Middle of do	Liverpool.	Direct
John Taylor.....	About 15 do.	Ditto...	Ditto.
Victory.....	Ditto,...	Madras ..	Ditto.
Aliquis.....	8 to 10 July	London..	St. [Helena.
Wm. Turner....	About 15 do	London...	Uncertain.

EXCHANGE.

	Buy.	Sell.
Six per cent Remittable Loan.....	130	129
First 5 per cent Loan. No. 320, a 1st class,	107 3/4	017L
Do. No. 31, a 1040, 2nd class....	107	107 1/4
Do. 1041, a 1010, 3rd class,.....		
Second five per cent Loan.....	108 3/4 at	108 1/4
Third five per cent Loan.....	110 1/4	110
Bills on England.....	2s.	2s.1d.
Bills on Calcutta 30 days.....	108	7/8
Bills on Madras 30 days,.....	101 1/4	101 1/2
Canton Bills,.....	210 1/2	210 1/4
Spanish Dollars per 100,.....	221	221 1/2
Sovereigns each,.....	11	10 1/2

HIGH WATER TABLE.

July 1835.	A. M.	P. M.
" 4th Saturday.....	4 56	5 38
" 5th Sunday.....	6 21	6 49
" 6th Monday.....	7 17	7 45
" 7th Tuesday.....	8 13	8 41

To Correspondents.

A CIVILIAN has been received, and shall appear next week.

A SUFFERER's letter is too long for insertion.

We regret we have not room in to-day's column's for the letter from Goa. We shall endeavour to give it a place next week.

THE GAZETTE.

SATURDAY, 4TH JULY, 1835.

No arrivals since our last.—The only departure is the barque *Kent*, J. Coubro, master, to London.

WE take the following particulars from a late Calcutta paper.

" The following is an extract of a letter dated China the 20th April:—

" CANTON, 20*th April*, 1835.

" Although the Opium Trade has within the last month been subject to frequent interruptions from Mandarins, the demand for the new Bengal drug became very brisk as the quantity was reduced, and prices advanced gradually to Sp. Drs. at 570 to 580, and subsequently to Sp. Drs. 630, at which some small sales were made. The arrival of the 945 chests of the *Sylph's* damaged Opium, and of the *Falcon* with 300 chests, have caused a decline to Sp. Dr. 600 or 610, and sales are limited. Very little of the new Benares was disposed of. Our present quotation is Sp. Drs. 570. The old Patna and Benares have been much enquired for; the former is now held at Sp. Drs. 770 and the [illegible] has never recovered from the depression, and the stock being heavy, holders are endeavouring to force sales at Sp. Drs. 585.

	Patna.	*Benares.*	*Malwa.*	*Total.*	
The Lintin deliveries in March, were.....	182	468	16	8	512 1126
Leaving a Stock on the 1st April.....	217	584	94	138	2658 3691
The deliveries to the 15th inst. are.....	83	279	6	30	400 793

We anticipate a considerable decline in the Bengal drug on the arrival of further supplies: and the disposal of the *Sulph's* Opium by Auction will have an [illegible] sales and put[illegible] Opium. [illegible] last month have been brisk, but without any favorable alteration in prices: best Surats being taels 11.5 to 11.8, Jalone 11 to 11.5, Cutchora 10,5 to 10-8, at which holders are eager to realize. Several sales of Bengal have been made at 10.8 to 11 by the Importers; and the Chinese have been disposing of their former purchases at a great sacrifice. The importation by the Lowjee Family has been nearly all sold at, from 10. 5 to 11. It is generally of but middling quality. Madras is without enquiry.

	Bengal.	*Bombay.*	*Madras.*
The Stock this day is reported at.....	27,000	18,000	1,700.

STRAIT'S PRODUCE.—All descriptions continue high, in consequence of the limited importations, but with a tendency to decline. Pepper Sp. Drs. 8,75; Tin, Banca Sp. Drs. 17; Straits Sp. Drs. 16, Be lenut Sp. Drs. 3,50; Rattans Sp. Drs. 2,50 to 3.

RICE.—The price of this article fluctuates daily according to the appearance of the weather; but as there have been for the last few days, indications of rain, which is much wanted, the rise has been checked, and Bengal is now selling at Sp. Drs. 2,10 and Java at Sp. Drs. 1,90 to Sp. Drs. 2.

EXCHANGES.—Are without alteration."

FROM the number of complaints there are about the rule, or rather no rule under which the Grand and Petit Juries on this Island are selected, we have deemed it our duty to inquire into the alleged grounds of those complaints with a view to satisfy ourselves whether or not those who complain are really aggrieved, and if so, what remedy ought to be applied. The result of our investigation, with our own reflections thereon, we now submit to the consideration of the public, and, that the matter may be the better understood, we shall begin with the act of Parliament which was passed in the seventh year of the reign of George the Fourth, for the purpose of regulating the appointment of Juries in the East Indies. By that act it is declared that all good and sufficient persons resident within the limits of Bombay, shall, according to such rules, and subject to such qualifications as shall be fixed in manner therein after mentioned, be deemed capable of serving as Jurors on Grand or Petit Juries, and shall be summoned accordingly; and it is further declared that the Court of Judicature at Bombay shall have power, from time to time, to *make and establish* such rules with respect to the qualification, appointment, form of summoning, and service of such jurors, and such other regulations relating thereto, as that Court may deem expedient and proper, " provided always that copies of all such " rules and regulations as *shall be so made* " *and established* by such Court, shall be " certified under the hands and seals of the " Judges of the Court to the president " of the Board of commissioners for the " affairs of India, to be laid before His " Majesty for his Royal approbation, correction, or refusal."

In the month of February 1828, the Judges of that day, in pursuance of the directions of the act, framed and promulgated, among others, the following rules as to the qualifications of Jury men, and the means to be used to give an opportunity to parties who might consider themselves placed on the wrong list, to state their ground of complaint, and have the mistake rectified. The preamble to those rules, after quoting the above section of the act, states, that " the following rules are made and *established* by the Supreme Court of Judicature at Bombay."

The following is the rule which fixes the qualification:

Every man, except as hereinafter excepted, (the exceptions apply to government officers, solicitors, and others engaged in certain public duties) between the age of 21 and 60 years, who is a resident householder within the Town and Island of Bombay, and occupies any house or tenement of the monthly value of Rs. 30, or of the annual value of Rs. 300, or whose property or interest in land is worth the sum of Rs. 3000 after the payment of his just debts, is qualified and liable to serve on Juries."

The second rule applies to the parties who form the exceptions.

The third rule directs the Sheriff to prepare a true list of all men qualified and liable to serve on Juries, and to make out the same in alphabetical order, containing, in separate columns, opposite to each person's name, his proper style, addition, or calling, his place of residence, the country of his birth, his religious profession, and his qualification to serve on Juries, and the ground of his privilege to serve on [illegible] the said list, signed by him or his Deputy, to the Clerk of the Crown on or before the 1st day of April.

The fourth Rule we would draw attention to; it is as follows:

" The Clerk of the Crown shall, within the first ten days of the month of April, cause the said list to be published *once in a Bombay Newspaper* in the English and native character, and copies of the said list to be affixed to some conspicuous parts of the Court house, with a *notice* stating that all objections to the list will be heard before the Supreme Court or one of the Judges at Chambers, during the months of April and May."

Before proceeding further we must draw attention to these Rules. It will be observed that the Act of Parliament directs that certain Rules shall be established by the Court for fixing the qualification, and for otherwise regulating the selection and service of Jurors, and generally, fixing the principle on which the institution shall be conducted. It need scarcely be mentioned that where the Parliament are legislating on subjects with which they are familiar, or when they can acquire the necessary information without much trouble or delay, they seldom or never leave any essential portion of the machinery of the Act to the discretion of the parties who may have to put that Act in force. For our present purpose it is enough to instance the Act 6 Geo. 4 commonly called Mr. Peel's Jury Act (and from which the rules framed by the Bombay Court have evidently been borrowed) in which are laid down rules and instructions as to the conduct of the very minutest portion of the duties of all persons who may in any way be concerned in carrying that act into effect, from the Churchwarden to the Judge. Those duties are enumerated, and it is one of them, that a list of the parties said to be liable to serve on the Juries, shall be fixed on some public place, with a notice stating that any objections to the list will be heard at a time named, to the end, that notice may be given of men qualified who are omitted, or of men inserted who ought to be omitted. It will not be difficult to discover the likeness, in so far, between the Bombay rule and the one to which we now refer. Well, by this Act it is directed that a list of the persons liable to serve shall be fixed up in some public place; and supposing the List is *not* fixed up in such public place for and at the time directed, or at all, would the Jury convened in the Court room on the day of the Sessions be a legally constituted Jury or not? No, we do not think it would. If there were no necessity for fixing the list up in a public place, there was no necessity for the direction in the Act, but the Act directing it, the Court, we think, would have no discretion. Governed by the law in their decision (which of course they are bound to be) the Court must pronounce the Jury *not* legally constituted, in so far as the Act of Parliament had not been complied with.

But when Parliament are legislating for the Colonies, and where they are ignorant of the character and feelings of the society for whom they are so legislating, they are compelled to leave it to the local authorities to fill up those details which are necessary for the purpose of carrying the act into effect. The Act for regulating the appointment of Juries in Bombay was one of this class, and the Supreme Court is directed to " make and establish" such rules as they may deem expedient and proper for establishing the principle on which the Juries were to be constituted. The Supreme Court did, in pursuance of the directions contained in the act, pass those rules, among others, which we have already quoted, and, we have no doubt, sent them for the approval of His Majesty as directed. We shall take for granted they were approved of, as we have heard nothing to the contrary. Those rules, therefore, the moment they were approved of by His Majesty, became the law which was to regulate the conduct of Judge and Juryman, and were, to all intents and purposes, until repealed, as much the law as if they had been embodied in the act. Let us now enquire whether those rules have, in the present session, been complied with, and particularly that rule which directs the publication of the List in the Bombay Newspaper. No such List appeared in any Bombay Newspaper which has been published from 1st April last up to this time, at least in no paper which we have seen, and we believe the fact to be that no such List was published. And now we shall ask whether, from that rule having been thus set at nought, the Jury which may assemble on the 6th day of this present month of July will be a legally constituted Jury or not? We do not think it will. We have heard that the list has not been published any year of the last three or four [illegible] take for granted the court did not consider the publication of the list essential, but notwithstanding this authority, we still remain of opinion that the omission of the publication is a fatal objection to the Jury, and all its proceedings.

There is a doctrine which we have oftener than once heard Judges plead in reference to rules of Court, and that is, that they were merely directory on them. That is a doctrine which should at all times be acted on with much caution, in so far as, while the public are on the one hand bound to *abide* by rules, the Court ought to be bound by them also, until those rules are formally repealed. Any such discretion on the part of a Court may involve the public and the Court in much unnecessary trouble. But the word " directory" can have no application to the Rules promulgated in reference to the appointment of the Juries in the Island of Bombay,—those rules were framed under the directions of the Act of Parliament—they were confirmed by His Majesty, and, that there might be no mistake as to the use to be made of them, and the period for which they were to be in force, it was, by the same act, declared that " *such rules and regulations shall be observed until the same shall be repealed or varied*, and in the last case, with such variation as shall be made therein." Those rules, are, therefore, in our opinion, the law by which the juries of Bombay should be selected, and the list perfected, until they are formally repealed or varied. They have been neither repealed nor varied so far as we can learn. And to prove that they cannot be considered directory, or in other words, optional for the Court to act on them or not, any rule which might be framed to repeal those rules, could not, as we view the act, be acted on at the option of the court, until the same process of transmission and approval is gone through, the will of the Court not being acknowledged until the same is reduced to writing, and approved of. Such we take to be the meaning of the act, and the law. Those rules were for the benefit of the public, as well as of the Court in getting a Jury together to carry on the work. The act of Parliament provides that all good and sufficient persons shall, *according to such rules* &c. be deemed capable of serving, yet that rule which was promulgated for the express purpose of affording men an opportunity of stating their objections to the insertion of their names in the list, whether on the ground of qualification or otherwise, is totally disregarded. So far, then, as that rule is concerned (if the List has not been published in a Bombay Newspaper as directed) the verdicts and proceedings of all juries which may have been convened, or may yet be convened in disregard to the rule, are, in our opinion, null and void.

Leaving this point, in the meantime, for the proper authorities to determine, we proceed to the principle or rule on which the selections for the Grand and Petit Juries are professed to be made, and we regret to say the complaints of the public seem to be but too well grounded. An idea seems to prevail that there are some established rules for the selection of Grand and Petit Juries either contained in an act of Parliament, or among the Regulations framed by the Court, and the remarks of Sir John Awdry, in his address to the Grand Jury in the month of July [illegible] reported in the Gazette Newspaper [illegible] lead to that supposition. Sir John [illegible] reported to have said that " I have [illegible] some tolerably definite rules on [illegible] what persons should serve on the Grand Jury," and again, in the same Sessions, on the application of Mr. East to be relieved from serving on the Grand Jury, Sir John is reported, in the same paper, to have said, that " certain situations had been specifically " named in the act as entitling the holders " to the Grand Jury, and those must be " observed," by all which we would understand that some Rules or act exist which point out the qualifications necessary for a Grand Juryman. Now, we have made enquiry, but have not been able to find any one act, or any one rule which says any thing on the subject, unless it be that unwritten Law which the Sheriff for the time being is supposed to know by intuition, and we must therefore conclude that the remarks imputed to Sir John were not correctly reported. The Rule which is *professed* to be acted on appears to be this, that all civilians and heads of mercantile establishments are entitled of right to sit on the Grand Jury, and that those who boast not of those qualifications are, en masse, liable to serve on the Petit Jury. Were this rule adhered to it would be all very well, but we fear there have been departures from it which in a great measure justify the [illegible] system. It is of course very gratifying to know that it is the wish of the Court that no invidious distinctions, in making the selections, should be drawn, but it happens, that from the absence of a proper rule, those invidious distinctions are drawn every day. It must be known to the Court as well as to society at large, that in a society constituted as that of Bombay is, great jealousy exists on the score of even fancied indignity, and when people find themselves classed up with those as to whom Sir John Awdry is reported, in the address we have already alluded to, to have said, that " it is undoubtedly true that it is not intended that any persons who are not considered in the upper ranks of Society should be included in the Grand Jury," and that from no positive rule, but from the exercise of a discretion on the part of the Sheriff, it is not to be surprised at that they should complain. Let it not be understood that we blame the Sheriff. Where no positive rule exists, he must exercise a discretion, and we have no doubt he has acted conscientiously in what he has done. There is no " tolerably definite rule" (we adopt this expression on the supposition of Sir John Awdry having used it in his speech) as Sir John Awdry seems to imagine, or if there be, it is not acted on, for we know of more instances than one of persons in the same office, and precisely on the same footing there, being called to serve, the one on the Petit, and the other on the Grand Jury;—other instances we know of young gentlemen in offices being on the grand Jury, while others in similar situations are put on the Petit. It is worse than idle, therefore, to talk of rule where there is room for such a discretion being exercised, and in absence of the rule, the distinction drawn is felt to be invidious. We are sure those gentlemen will acquit us of any intention to reflect on them. Finding the invidious distinction which had gradually crept in, they did perfectly right to hurry out of the infected ranks as soon as they could, and no one remained who could by any possibility help himself.

But, in our opinion, it is the duty of the Court to establish such positive rules as may prevent all heart-burnings on the subject, and indeed we are surprised that that has not been done long ere now. It is not a tolerably definite rule we want,—for any rule short of a positively mischievous one may come under that title, but we want a specific Rule promulgated by the Court which will establish, beyond a [illegible] possibility of cavil, the principle on [illegible] and Petit Jurymen are [illegible]

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are no advocates for the species of aristocraticism which the establishment of a Grand Jury over a petit Jury, in a small community as that of Bombay is, is calculated to nurture, as, of all human institutions, there is none which ought to be less affected, either in its own constitution, or in that of any of its ramifications, by the prejudices and jealousies of the community, than a Court of Law, and the most effectual means should be adopted to remove both. Peer and peasant should be on a footing. Distinctions of rank have little to do with the furtherance of justice, and the chief object of a Court's solicitude is, as it ought to be, not the upholding of those distinctions, but the collection of the most intelligent persons to assist that Court in its labors. But it is to be regretted that the acts which direct the appointment of Juries lean too much to the preserving of those distinctions, and Courts of Law are therefore fettered in their choice. Now, however wild our opinions may be thought to be, we have ever looked upon a Grand Jury as a most useless and unnecessary appendage to a Criminal Court; but, that we may not be supposed to express that opinion unadvisedly, we shall explain the reason why we think so. The Grand Jury are selected from the higher ranks of life, and to their judgment are submitted the several Bills of Indictment which are prefered against the persons charged with offences. These Gentlemen either find the Bill, or turn it out. If the former, the criminal goes on his trial before the Petty Jury, and they, on investigation, may turn out the Bill which the Grand Jury have found. In so far, therefore, are the labours of the Grand Jury unnecessary and useless. They are unnecessary, as the Bill has to go to the Petty Jury to be disposed of, *after* the Grand Jury has found it; and they are useless, as the petit Jury in no case avail themselves of the evidence which the Grand Jury has taken—they act solely on their own judgment, and the finding of the Bill by the former in no measure influences them. If the Grand Jury ignore the Bill, the Prisoner is at once set free; and it may therefore be argued in favor of the Grand Jury, that the criminal is, by means of their investigation, spared the pain of being tried for a crime of which they found him innocent, but this proves nothing in favor of the institution. If a Petit Jury, by the labor they take, are enabled to *acquit* a Prisoner who was sent by the Grand Jury to undergo his trial, on the same principle it is possible they might find a person whom the Grand Jury acquitted, and it would be very difficult to convince any man of the necessity of a Grand Jury for any purpose connected with the trial of a Prisoner. The other duties of a grand Jury in making presentments about nuisances &c. ought to be attended to by the several Departments under whose more immediate care they are.

But there is a still more grave objection to the Grand Jury system, as established in all small communities. The admitted distinction between the two Juries is, that the Grand shall consist of persons in the higher ranks of life, and by consequence, of the best educated and best informed members of the community, while the Petit may be made up of any description of characters, no matter what their acquirements or intellectual capacity may be, provided they have got coats on their backs with or without holes in them, and occupy a House valued at a certain rate (no matter whether they are able to pay that amount or not), but, to understand whether this is a just and equal distribution of labour, and whether, above all, it is calculated to secure a just judgement in the cases tried, or whether in fact that class of individuals should be exclusively selected for the performance of the duties which, by the present practise, now fall to their lot, let us keep in view that to those men,—the Petit Jury, are entrusted the lives and liberties of those who may be unfortunate enough to come before the Court for trial; it is for them to weigh with the nicest judgment, the soundest discretion, every iota of evidence with the arguments used by the Counsel, and the remarks made by the Judge, and on the whole, to give such a verdict as will be consistent with law, and with the evidence. On their breath hangs the fate of the unfortunate criminal, and the smallest modicum more of judgment, the slightest portion more of experience might produce a verdict the reverse of that which, in ignorance of law, or of the application of facts and circumstances, hurries that criminal to an untimely grave! If such be the responsibility of a Petit Jury, surely that Jury ought to be selected from the most intelligent and best educated members of the community, and not from the class which Sir John Awdry is reported to have said, were not intended to be raised to the Grand Jury. We will be understood to mean that it is by no means impossible to find a Petit Jury sworn in who consist solely of that class, although, in many instances, there may be Juries formed in which some individuals may be found who are eligible for the grand Jury according to the distinction reported to have been drawn by Sir John. We acknowledge no use, no [illegible] Petit Jury but one, [illegible] administration of [illegible] that purpose, the [illegible] selected without re[illegible]striction. The duties of the higher class, under the present order of things, are, we have said, of minor importance, if of any use at all, while the people selected to perform the really important duties are understood to be selected on account of their supposed inferiority. This is the fact, and there is no use refining on it, and it would therefore be desireable that the Court at once established a Rule to place these matters on a more proper footing, and to remove, in so far as they can, the ground of complaint which exists.

If there must be an exclusive class for the Grand Jury, let Civilians and heads of the mercantile houses be selected. Where their number falls short of the number necessary to complete the Grand Jury list, let the additional grand jurors be selected by ballot from the body of petit jurors. Considering the duties of the two Juries as we have pointed them out, a petit Juryman must be perfectly competent to perform the duties of a grand Juryman. The selection by ballot would remove all complaint, while it would keep on the Petit Jury a class of men in whose judgment every confidence might be placed: It is not the Petit Jury itself that is objected to, but the distinction which is so strongly drawn, or supposed to be, between it and the Grand, and the plan of selection to the Grand Jury by Ballot would leave no room for any one to complain. Each would have his chance, and the Petit Jury would then, we believe, be preferred to the other, as the duties, although heavier, are, altogether, more desirable. Until some such rule as that we have suggested, is adopted, it cannot be expected, from the discontent which prevails, that the duties can be carried on in the manner they ought to be.

The Durpun.

Want of the usual quantity of rain, has already created an alarm throughout the island. Prices of rice and other articles have been on the increase within the last week to the great joy of Marwarees and Bunyans. We are sorry to mention that the extreme dryness of the weather has produced cholera in some parts of the native Town, though fortunately it has not yet assumed that dangerous aspect which it generally does about this season of the year.

A correspondent at Belgaum states that "the rains appear to have set in very favourably, and if we continue to have such showers as are now falling, there can be no fear of our not having good crops."—*3rd July.*

Madras.

MEDICAL RETIRING FUND.

A meeting of the Committee of Management was held on Tuesday the 2d Instant (Mr. Surgeon A. Garden in the chair) when the following communication received from Mr. Curnin was read.

To H. S. MERCER, Esq.
Secretary to Medical Retiring Fund.

SIR.—I have to acknowledge the receipt of your letter of the 5th instant, in which you inform me that you have the "entire approbation of the Governor-General to address me," to know the terms on which the Medical Service could be admitted to join in, and to participate in the advantages of a plan of a Retiring Fund in course of adoption by the officers of the Indian Army.

I have also been addressed both verbally and officially by other Members of the Medical Service, whom, I believe, you do not represent; and in compliance with the desire so expressed through you and by them, I beg to submit the following to the consideration of the officers of the Medical Profession in the services of the Honorable Company.

The plan of a Retiring Fund devised for the officers of the Indian Army, derives its chief support from two sources—from the off-reckonings allowed to Colonels of Regiments; and from the donations of officers on the attainment of superior rank. For the first source of supply the Medical service has, as I conceive, no adequate substitute: for the relinquishment of the superior pensions allowed to Superintending Surgeons and to members of the Medical Boards, quite insufficient for the purpose. For the second a substitute may be found, in periodical donations: and, accordingly, if the Medical service of India should resolve to relinquish their present claims to superior pensions in consequence of being Superintending-Surgeons or Members of the Medical Board, I think the Honorable the Court of Directors might be disposed to sanction their having a retiring pension, per annum of

360£ for 17 years service. 455 for 21 years service.
380 .. 18 ..... 500 .. 22 .....
405 .. 19 ..... 660 .. 25 .....
430 .. 20 ..... 825 .. 28 .....

and 1000£ for 31 years service; on their subscribing for the first year, 10 Rupees per mensem.

2d	——	10
3d	——	10
4th	——	150
5th	——	15
6th	——	15
7th	——	20
8th	——	20
9th	——	150
10th	——	25
11th	——	25
12th	——	25
13th	——	30
14th	——	150
15th	——	30
16th	——	35
17th	——	35
18th	——	35
19th	——	150
20th	——	40
21st	——	40
22d	——	45
23d	——	45
24th	——	150
25th	——	50
26th	——	50
27th	——	50
28th	——	55
29th	——	150
30th	——	55

and for the rest of the time during which an officer may continue on the establishment a monthly subscription of 60 Rs.

To adapt this to the case of officers who are now in the service those who have served, but

		Rs.			Rs.
1 yr.	will have to pay	124	9 yrs.	will have to pay	6604
2	do. do.	258	10	do. do.	7576
3	do. do.	409	11	do. do.	8650
4	do. do.	2295	12	do. do.	9830
5	do. do.	2701	13	do. do.	11216
6	do. do.	3159	14	do. do.	14224
7	do. do.	3707	15	do. do.	16079
8	do. do.	4022	16	do. do.	18207

and he who has served 17 years will have to pay 20,582 Rupees before he can claim the full advantages of the fund.

I have addressed this to the Medical Service of India rather than to that of Bengal in particular although I am aware that there are Medical Retiring Funds in operation in Madras and Bombay; not under the vain impression that this would be more acceptable to those bodies than their own; but under the impression that it would be more likely to be adopted by the Honorable Court for the whole service than for any branch of it whatever.

Should the desire exist to adopt this as a general plan, no difficulty can present itself in the adjustment of the claims of all on the funds and income of the members of those institutions.

Should any officer not feel disposed to pay the whole amount of immediate donation due from him; I shall have much pleasure in assigning the *increased* contributions which should be paid as the equivalent of those donations.

I am Sir, your most obedient Servant,
(Signed) JOHN CURNIN.

No. 67, Wellesley Street, May 27, 1835.

Proposed by Mr. Bramley, seconded by Mr. Grant and carried unanimously.

"The Committee of Management of the Medical Retiring Fund acting for themselves and as representatives of a large portion of the Medical service of Bengal regret that they deem it incumbent to record their expression, of general disappointment at the scheme of the Retiring Fund proposed by Mr. Curnin."

Proposed by Dr. Jackson, seconded by Mr. Egerton and carried unanimously.

"That considering specific applications from themselves and other Members of the Bengal Medical Service, were before Mr. Curnin, and so far as they are aware, none from other Members of the Medical establishments of other Presidencies; the Committee of Management deem it inexpedient that their case should in any way be mixed up with those of other services, seeing that the Madras and Bombay Medical establishments have already independent Retiring Funds of their own in actual operation."

Proposed by Mr. Egerton, seconded by Mr. Corbyn and carried unanimously.

"That, whatever may be the benefits to be expected from Mr. Curnin's scheme of a Retiring Fund, the Members of the Medical service have not the means of paying the contributions requisite to secure them, according to the rates now submitted to the management, and, even if, by great sacrifice the means could be raised by officers after 17 years service, the Committee are unanimous in opinion that an annuity of 165£, or thereabouts, is not worth the sum of 20,580 Rupees.

Resolved—"That in consequence, of the reduction of two Superintending-Surgeons, the Committee of management feel, that the bases of the calculations on which the Bengal Medical Retiring Fund was originally founded no longer exists; and they therefore, recommend to the general body of subscribers, that for the present all payments on its account be suspended from the 31st ultimo.

H. S. MERCER.

CALCUTTA, *3d June*, 1833.

Calcutta.

THE NEW POSTMASTER GENERAL OF CALCUTTA.

We understand that Mr. G. J. Siddons, the Collector of Government Customs, is to be our future Post-Master General, in succession to the Honorable John Elliott. We only hope that the successor of Mr. Siddons may be as attentive and courteous in the discharge of the arduous duties of the Custom House as that gentleman has been. We believe that no one who ever filled the office has been more successful in giving general satisfaction in it than Mr. Siddons. Our humble tribute to his official merits is at least disinterested and free from any bias of personal intimacy. We do not profess indeed to speak from our own experience on this point, for our intercourse with the Custom House has been very trifling; but we echo the sentiments of many with whom we are acquainted whose vocations have afforded them sufficient opportunity of judging, to render their testimony in Mr. Siddons' favour entitled to great weight, and we hope that they will adopt some more convincing mode of giving expression to their sentiments on the occasion of his removal to another office. If it be a useful check to perform the more gracious task of awarding public approbation where it is due.—*Bengal Hurkaru, June 16.*

We are informed that only *three* honorary Magistrates are to be at present appointed—and that the gentlemen selected are Mr. James Kyd, Baboo Radacant Deb, and Baboo Dwarkanath Tagore. The nominations have been made, it is understood, with a view of recognising the provision of the legislature which authorises the appointment of natives of India to the office of Justices of Peace. The number to be hereafter increased if it should appear advisable.—*Hurkaru.*

AMERICAN ICE.—There were two facts mentioned at the Meeting of some interest to those who desire the success of the speculation and are anxious for a supply of ice—one is that the loss in the *Tuscany's* first cargo was less than that of any first importation, even to the Havanna or new Orleans, so much nearer to America than we are—the other a fact that surely justifies some confidence on Mr. Tudor, viz. that his instructions were positive relative to the *Apthorp's* cargo, to sell at 2 annas. The *Apthorp*, unfortunately only brought a ton and a half, for which of course there was a scramble. Mr. Bacon was urged to sell it at four annas: he might, we believe have sold it at ten, but he declined advancing the charge, observing that his instructions were positive. The fruits he brought out were also spoiled: and the loss on this cargo may serve to illustrate the very precarious nature of the speculation.—*Ibid.*—*Calcutta Courier, June 17.*

Singapore.

PIRATE BOAT, &c.

DEAR SIR.—I have much pleasure in acceding to your request, to "put on paper the occurrences of Saturday."

While Mr. Dean and myself were proceeding to the *Cashmere* with a young lad who was to sail for America in her, and had proceeded quietly about 10 miles as we should judge, a boat passed near us containing 3 men (Malays). They inquired were we were going and offered to carry us much quicker than we were going, if we would enter into their boat. We declined their proposal and they went off. In about half an hour, they returned with 2 additional men, and a sail erected in their boat, and renewed their offer to convey us. We asked them some questions, and our boat men rather lingered as they seemed desirous to come close to us. When they were close along side seeing some plantains lying in our boat, they asked for them. I rose to give them, when one or two stepped into our boat apparently, to receive them—One took them from my hand, stepped before me and in an instant pushed me into the sea. They then assailed Mr. Dean, who after a short struggle, disengaged himself and they retreated to their own boat, where seizing fish spears, they threw them with such dexterity and force that one, with 3 barbed prongs, entered Mr. Dean's wrist, and went so deep that the carb passed under the tendons, another with a single carb passed through the flesh on the shoulder bone—A sharp pointed spear handle pierced his side and came near to penetrating the Kidney. There were other slight wounds—They lad was unhurt. One of our boatmen was also wounded in the legs.—On my regaining the boat, our assailants found their spears exhausted, and attacked us with something like brick bats or hard dried clay. Then with drawn cutlasses and their hands upon their Creeses they threatened us with immediate death, if we did not deliver them a small box they saw in our boat. We remonstrated in vain, telling them it contained nothing but letters, no money whatever; my keys were lost while I was in the water so that I could not open the box, and not wishing any further collision with such ruffians, we threw the box into the sea and fled as fast as we could towards Singapore. We looked back and saw them hacking the box to pieces. This occurred between 10 and 11 o'clock A. M. I think we were from 1½ to 2 miles from the shore on the left, and nearly 3 from point Romania They retreated towards Johore. Not however being familiar with the exact position of these places and their local names, I am unable to be very confident in regard to them.

Two of the men I should readily recognise. One was rather short, rather fat, not corpulent, round face—hair long, parted on the middle of the head, and cut square on the Cheeks—Spoke English, mentioned the names of Messrs. Johnstone and Bousted,—he was the one who threw me into the sea. The other was about the ordinary size. What marked him particularly was a nose partly eaten off by venereal disease, and an upper lip covered with a scabby ulcer—he also spoke English. There are several merchants in the place, who, when I began to describe these two could easily help me out with the description. While I was in the water, a spear was thrown at me, which stuck fast in my clothes, but did not pierce my flesh. The extraction of the horrid irons from Mr. Dean gave him the most excruciating pains, he still suffers severely,—but we indulge the hope that in a few weeks he will entirely recover.

All which is respectfully submitted by
Your obedient servant,
(Signed) JOHN TAYLOR JONES.

To
The Hon'ble Mr. WINGROVE.

Singapore, April 21st, 1835.—*Chronicle, May 9.*

INTERCOURSE OF AMERICAN VESSELS, &c.

Our columns of this evening are nearly wholly occupied with, the further proceedings * consequent on the late public Meeting. We have much pleasure in publishing the Petitions to the King in Council and the Governor General in Council on the subjects of Piracy and the extension of Admiralty Jurisdiction to the Court of Judicature as well as the present uncertainty of the [illegible] of American Vessels with this Port. We have thought it advisable to insert all the papers, connected with the petitions, not so much from their possessing either novelty or attraction, (some portion of them having already been in print) as to secure them, in some connected form, a registry in our Journal for more easy reference hereafter. The petitions have been lying for some days past at the Reading Room for signature, and we believe have been signed by all the European portion of the Mercantile Community. A variety of papers having reference to the different matters which have been appended to the petitions to the King, but we do not observe any attached to the petition on Piracy addressed to the Governor-General which we would suggest [illegible] equally necessary in the latter as in the former [illegible] probably induce a more prompt consideration to [illegible] of the Community than the bare transmission of the petition itself might do unaccompanied by authenticated facts and circumstances upon which the aid of Government is solicited. Great doubts, we understand, are entertained in Bengal as to the reality of the *Old story* of Pirates, to dispel which ought to be the care of the Committee. If any active measures are to be adopted consequent upon the petition, they will in all probability proceed in the first instance from the Supreme Government to whom it becomes necessary that the fullest and most authentic information should now be furnished. A further beneficial result might also be effected in so doing by exhibiting in a public manner the inability of the local Government to render that protection which the common emergency of the day requires, and the necessity, inferrible thence, of reposing in the Straits authorities a more uncontrouled liberty of acting efficaciously in all matters connected with the Public interests or safety, than they heretofore seem to have possessed as exemplified in the constant and indispensable necessity of reference, which under the most favorable circumstances (excepting steam) could not be noticed under three months, during which period incalculable and irremediable mischief to the trade might be perpetrated, for no better reason perhaps, than that the supreme authorities are unwilling to intrust the Government of the Straits Stations to the entire discretion of their servants, who, one would naturally suppose, were much better able to judge of, and more capable of applying the proper remedies to local exigencies than their superiors at a distance. Yet we are gravely informed that Singapore is a *Principal Settlement*, while it appears the internal administration of the place is submitted to and regulated *at Calcutta!*

The only protection to the native trade resorting to this Port is from the occasional presence of the Hon'ble Company's Schooner *Zephyr*, and a small Gun boat mounting one gun under *native* management. These vessels however, from circumstances probably unavoidable, have hitherto been little else than a mere semblance of protection, the Schooner being usually employed as a packet to and from the three stations, and the latter craft in point of utility little more than an unprofitable burden on the public purse.

Two vessels, from 200 to 250 ton, commodiously fitted up, having good sailing qualities with a light draught of water and stationed one at Penang, and the other at this Settlement, would prove more useful and effective than a vessel of the present diminutive size of the *Zephyr*, which costs as much monthly as a vessel three times her size would do without possessing corresponding advantages. Our two *embryo* vessels we would have constantly cruizing to and fro in the discovery of all the piratical haunts into the straits for a month or six weeks at a time, and should return into Port, only when water or provisions were to be replenished, or when they might be required for the occasional conveyance of the Superior Local Authority in his visits to the respective stations and for Court Establishment when proceeding on Circuit. By being thus constantly out of the harbour, their mo-

* We regret that we have not space for these further proceedings—or the petitions.—ED. HURK.

tions and uncertain destinations could not be calculated with that precision with which the movements of the present Government Vessels are generally known and avoided. We will, of course be told that the great drawback to such a scheme would be the heavy expense which would consequently be entailed upon the Government in thus maintaining a better and more efficient naval force in and belonging to the Straits than what at present exists under the *nom de guerre*. But that objection, commonly made to all improvements, might be easily obviated by the community being made to contribute towards the protection of a trade so necessary and beneficial to themselves by some resources adequate to that purpose and which might not be materially felt as an incumbrance.

We entirely concur in the necessity of the prayer for an Admiralty Jurisdiction, the absence of which has been so much felt and which has also been so frequently represented to the Home authorities by several professional Judges of the Court, and also we believe by the Government, and although the prospect of its being superadded has been held out and expected, the subject, from some inexplicable cause or other, appears to have been allowed to sink down again into forgetfulness. In asking for this addition to the powers of the Court, we think, a clause praying a *general revisal* of the present Charter would be of public advantage, if what we are informed of be correct, that in its present form it is in many points defective and ambiguous, and that the applicability of some of its provisions to Singapore and Malacca is doubtful, and that others again might be beneficially extended. In framing a clause to that effect, we should suppose an application to the Acting Governor in his Judicial capacity to be furnished with memoranda of such defects and imperfections would be as readily complied with, as in another capacity. Official Records were supplied to ground the present petition to the King in Council; and if not too late, and within the limits of the authority of the Committee, we would humbly suggest its adoption as tending to the better and fuller administration of Justice and the protection of the Rights and Liberties of the King's liegee commorant at Singapore and Malacca.—*Ibid.*

The Dutch authorities at *Rhio*, we understand, with their accustomed activity in detecting *Pirates*, have lately made some discoveries which may ultimately lead to the apprehension of the pirates who were concerned in the Capture of the Chinese *Pukat* reported in a Chronicle of the 4th ultimo. It appears the *Pukat* was taken by the pirates to a place in the neighbourhood of Rhio called Galang, and her lading conveyed from thence to Rhio for sale under the *auspices* of a wealthy Chinaman named Wee-Tean who it is stated has not only been *particeps criminis* in this affair, but has been long in the habit of dividing such ill-gotten stores with Pirates, supplying them in return with what they might require, and more particularly by pecuniary advances thereby to instigate them to further depredations. It is satisfactory to learn that a villain of this description has at length fallen into such good hands as the Dutch, from whom it is also consolatory to think he will reap a suitable reward for his past misdeeds.

One of the Chinaman (who escaped from the Pukat when attacked) has proceeded to Rhio with a letter from the Acting Governor to recognise the property. We hope on his return to be able to furnish further particulars which led to the fortunate arrest of Wee-Tean.

Accounts have been brought to this Settlement of another *Pukat* having been attacked and cut off by the pirates a few days ago near Pulo Tingie, and all the Crew murdered. We are informed upon the authority of a respectable Chinaman [illegible] property, that the goods which composed the lading of the *Pukat* had been taken to Tringany and were in the possession of the Rajah, Sa Lowee. As our informant would doubtless confirm this statement if required to do so by the Local Authorities, we are of opinion a favourable opportunity is now open for the interference of Government in a sharp remonstrance with Sa Lowee, and that not a moment should be lost in compelling him to deliver up the goods which he has thus obtained by robbery and murder. But as it may not be improbable he might wish to deny, having either any connection with the affair, or possession of the Goods, such coercive measures ought to be adopted as will compel him to compliance, and some restraint imposed upon him which might [illegible] future good conduct. A Raffles or a Crawfurd would not lose a moment in having [illegible] and restitution as well as security for the future, again such mal-practices!—*Ibid.*

FURTHER PIRACIES!

The Honorable Company's Schooner *Zephyr* left this on the night of the 13th instant, under orders we understand for Pahang and the cause of her early return is explained in the following details. It appears that on the afternoon of the 13th after the *Zephyr* rounded the Romania Island, a prahu was observed inside of the Islands which she had passed in the morning, and shortly afterwards two other prahus were discovered pulling round Point Romania and making for the former prow upon which they commenced an attack—The *Zephyr* immediately made towards them, but from the lightness of the wind was unable to reach the spot before the pirates had captured their prize, of which they showed every disposition to keep possession, until within gun-shot of the *Zephyr* when they quitted and pulling round Point Romania, it is supposed towards Johore. The Crew of the attacked boat during the action had left her and fled towards the shore. When the *Zephyr* came up to her assistance, she had been plundered of every thing except part of her rice, and being considerably damaged by the shots received from the pirates sunk during the night. The following morning the *Zephyr* stood close in shore, when some of the unfortunate Crew of the prahu being observed to land, a boat was sent to their assistance and returned with the Nakodah and four men, one of whom was severely wounded, and the others frightfully injured from the effects of an explosion of some Gunpowder on board which had ignited from a shot of the pirates. There are ten other men of the crew who have concealed themselves in the jungle who refused to avail themselves of coming here in the *Zephyr*, stating their desire to remain, but that upon the return of two others of their comrades who were then amissing, they would proceed hither in their own sampan. The whole of this transaction occurred in view of the *Zephyr*, and we regret to say without the possibility of rendering any timely assistance.—*Chronicle, May 16.*

China.

IMPRISONED LINGUISTS.

We are extremely sorry to state to our readers that the two linguists *Kwan ho* (*Atom*,) *Yuen foo* (*Aheen*,) who were apprehended by the local government last September, (having been implicated under the charge of *Chinese constructive treason* have lately been sentenced to exile.

The fortunate *Aheen* has incurred the severest displeasure of the rulers of Canton, and his fated to undergo a punishment worse than death to a Chinese; he is *chung-keun yuen-wae*; sent to the ranks beyond the frontier; i.e. he is to be a slave to the tartar soldiery.

The cause of this cruel and unjust sentence (for it is founded upon a false charge brought against him by the officers—a charge which *they know to be false*—namely; that Lord Napier came in Captain Rees's ship, the *Lord Amherst*)—is his being denounced as a *Han keen*—a traitor to his Emperor and country; and we may here observe that the words, *Han keen—Chinese traitor*—convey a much more intense meaning of uncharitableness, faithlessness, ingratitude, treachery, rebellion, and all the other unnatural crimes committed by that man who betrays his country, than our word *traitor*. In Chinese ethics, the *Han keen* violates all the duties of social life; his want of fidelity to his Emperor is his gratitude towards his father, he is the evil principle, the adversary of order, law, government, and of all human relations, personified. Judge, then what must be that government which can knowingly institute a false charge of treason: pursue it to a sentence, and let that sentence take its course.

Atom is ohly banished from the provincial city for three years, as having been the head linguist when Lord Napier arrived, and for his negligence in that office, because *he allowed him to arrive in the Lord Amherst*. The lenity shown to Atom is attributed to the liberal use of *palm oil*; and by a further application of this ungent he may probably obtain a remission of his sentence.

Mr. Jackson's personal servant and the pilot employed last year by the *Lord Amherst*, have received the same sentence as *Aheen*.

Thus, four men in the service of foreigners—for the linguists may in some sort be called our servants—have incurred the displeasure of their government and consequent punishment (three of them in extreme degree) for having been in that service, and for doing their duty. Are we not, then, called upon to protest against the exercise of such sickening tyranny? It is very probable that all our endeavours to save these men from their dreadful exile may be unavailing; still, is it not our duty to *place on record* our attempt by presenting in a body at the city gate, *proofs* of their *innocence*, petitions in their favour, and our solemn protest against the accusations, trials and sentences? There is yet time for the performance of this duty; governor *Loo* is now in the neighbouring province of Kwangse, reviewing the troops, and will not return to Canton until next month, on his arrival the sentences will be put in execution. Let us, then, see whether the foreign community of Canton are not held in greater estimation and respect than is supposed even by themselves, or avowed by the government. The cause is a good one; the ceremonious punctilios of Chinese official life will not be disturbed by any attempt to shock the pride of the *buttoned* and *peacock feathered* officers by claiming an equality of rank and station. We shall simply be humbly presuming to set the government right on points concerning which they *must* have been *misinformed*; for, can it be conceived that such dreadful punishments shall be suffered to fall upon innocent persons; No!—When *Loo* sees the determination of the foreigners, if their representations to him are fruitless, to submit the truth of this case in a petition to H. I. M. transmitted through the governor of another province, either of *Fuh-keen*, *Che-keang*, *Keangnan*, *Shan tung*, or even *Peche-le*, he will listen, if not to the still small voice of conscience and reason, at least to the trumpet-call of fear and self preservation. We think that there is now a proud opportunity for the foreign merchants to prove their national character, to erase former stains, and to emerge from that slough of despond and contempt into which the neglect or imbecility of their separate governments have plunged them.

We should feel proud if we could draw the attention of the foreign merchants to the case of these ill-treated men, which we have thus feebly endeavoured to advocate; we have thus [illegible] equally honorable; but success will prove that the trade can, in some degree, protect itself; and this fact once established, how fast improvements will follow, if the spirit of union on all common questions is cherished!—The moral effect of the attempt only on the government and people will be incalculable. Indeed, the more we consider the matter, the more we are inclined to think that we have too hastily concluded that any of our efforts may be unavailing; we recall the misplaced and cowardly doubt; we shall succeed; we shall save these men to their families; of this we are so convinced that we could support it with the asseveration of "my uncle Toby." If any other persons feel as confident as we do on this subject, the duty of the foreign community is clearly indicated: and should they neglect this great opportunity of doing so much good to others—of self justification—and of the vindication of common rights—they will become a party to the cruel and tyrannical measures of the government, share the guilt of its officers, and be exposed with them to the execration of the people.—*Canton Register, April 14.*

THE PRIVATE CENTINEL.

(From E. I. U. Service Journal, for May.)

(Continued from last Gazette.)

It was the friendly care of Maurice Randolph that first discovered and released the dangling serjeant, at his own imminent risk; but so strange were his contortions, and so absurd the mixture of real courage and nervous apprehension evinced by him, during the delicate operation, that a female, who had stood upon the poop of the blazing wreck, gazing in mute despair at the successive failure of every effort for her rescue, burst into a wild, hysteric peal of laughter: so dreadfully at variance with her own situation and the feelings of all in that fearful moment, that it was long remembered among the records of that eventful night, as the most horrible circumstance of the deep and awful tragedy. While the notes yet rung upon the ear and vibrated upon the inmost soul of each beholder, the vessels were severed by the violence of the elements, and the last hope of the desolate crew seemed to be for ever annihilated. The Captain had risked, as much as he felt justified in risking, the safety of his own ship in the cause of humanity. The greater portion of the unhappy crew had either been saved, or had perished in endeavouring to escape; and as every minute, by bringing nearer the contact of the fire with the powder magazine, rendered an approach more dangerous, he determined no longer to pursue the perishing vessel.

It was then that a woman's voice, and a woman's courage prevailed over the sterner determination of man. 'Will ye suffer her to perish? Are ye men?—are ye fathers?—are ye husbands?'—exclaimed the beautiful enthusiast; 'and will ye see a woman,—a wife,—a mother, thus horribly destroyed before your face, without *one* more effort for her rescue? You, Captain Harden, and you my father, and Randolph, and all of you, my generous friends,'—turning to the admiring crew,—'you will not, and cannot, thus desert a perishing female.'

She stood in her lofty enthusiasm exposed upon that perilous deck, the folds of a seaman's cloak thrown around her delicate form, and collected together by her left hand, while the right was stretched forth toward the object of her solicitude, and the rude gale blew her dishevelled tresses wildly around her ill sheltered neck. They had been hearts of adamant, that could have resisted that appeal of the high-minded and beauteous Egeria Denham.

A shout of applause followed her harangue. 'We *are* men, we *are* British tars, we *are* your own countrymen, we *will* save any of *your* sex or perish.' The remonstrances of the captain were drowned in the shouts of—'it must be so, your honor, it must;' and the captain, nothing loth, if the truth were known, once more made sailed for the devoted wreck.

As they neared her a thought suddenly struck Maurice Randolph, which he immediately communicated to the captain. Springing down to his cabin he snatched his rifle from its lashing on the bulk-head, drew several strong fishing lines from the locker, and was hurrying out when his eye was caught by the air pillow of his camp bed, which he hastily seized, and returned in a moment to the quarter deck. Throwing half a charge into the barrel of the piece, he secured the iron ramrod as firmly as possible, by means of the cartridge worm, to the end of the line, and tying the other extremity of the latter to a rope with a noose ready prepared, to which the air pillow was fastened by a lashing round the centre; he stood in readiness to play off his contrivance, the moment the vessels should be sufficiently near. The hint was not lost upon the captain, who ordered all the fuzils within reach, to be applied to a similar purpose; so that twenty ropes were thus in readiness to be thrown over the wreck, on their approach.

Once again, and for the last time, they neared that blazing pile, over which the flames were raging with uncontrolled fury, while the minished crew stood a ghastly group upon the farthest point of their retreat, without power any more to stimulate the hope that had twice been so darkly extinguished. The only female left among them, stood now in stupified despair, gazing upon the infant from which no extremity of peril could for an instant sever a mother's love. Of the others some were overpowered by liquor; some half-intoxicated, dancing close upon the verge of eternity, in the richest dresses of the passengers; a few only of the whole were in a condition to take advantage of the means offered for their escape. As the intervening distance lessened, the captain endeavored by means of his speaking trumpet to make the objects of their solicitude understand the nature of the experiment to be tried, and to win them from the callousness engendered by despair; and when they had approached as near as prudence would allow, the fuzils were levelled and fired with one accord to a height, agreeing with, and close in front of, the mizen top, and with such success that a shower of ropes was thus cast at once within reach of the apparent victims, who roused at length from their lethargy, by this unexpected gleam of deliverance, were instantly employed in dragging aboard the ropes, and fastening them around their bodies. But when a noble figure of a sailor, would have rendered this aid to the de- [illegible] way with her hand, intimating that she would share his fate. There was no time for arguing at such a crisis. The generous fellow caught the infant from its mother, and binding it in her mantle firmly over his own shoulders, and securing *her* to the buoyant pillow sent for her support, sprang with her from the bulwarks, far into the boiling ocean, and was immediately towed by the friendly crew, together with all his comrades, toward the ship, where a hundred hands were in readiness to snatch them from the waters and a hundred hearts, to welcome those that survived.

Meanwhile in spite of all the efforts of the captain, the ships had approached one another nearer than was consistent with the safety of his own. And by a sudden and more violent effort of the blast, the intervening space became at once so much diminished that the rigging of their yard-arms, was inextricably entangled, and every moment threatened their ruin. The flames from the burning wreck tossed wildly by the gale, repeatedly licked the hull of their own ark of refuge, and the concussion, should it happen, could leave no hope whatever of escape in such a fearful sea. Bitterly in that moment did Captain Harden repent him for having so weakly complied with the insane humanity of his crew, and they, if their generosity repelled such a thought, were at least fully sensible of their extreme,—their almost hopeless peril, and watching with no slight agitation, the fluctuations of each passing moment.

Maurice happened to be at the gangway, when first the danger threatened. Armed with a light hatchet he had sprung up the rigging to the main yard, and was now passing rapidly along it, when the rope to which he clung, gave way, though at such a distance from his possession, that he had time to snatch, at another in his descent, and thus escaped, though narrowly, the threatened destruction. He turned his head naturally to the spot, where the rope had divided. Carnford, who had apparently followed him, was there. The expression of his countenance, in the strong glare, was remarkable. A painful thought shot through Maurice's brain, but he repelled it with indignation. The next instant Carnford was at his side, vying with him, in his efforts to sever the ropes which held the ships together,—a perilous task that was every moment growing more critical. All eyes were fixed alternately upon them, and upon the flaming wreck, upon which their fate depended, and which they knew must now be fearfully near the the explosion they had so long dreaded. The soul of each gazer seemed to go with every blow of the brave adventurers; and had there been more leisure and less danger, they might have been reciprocally amused with the earnestness with which each bent his body as the axe fell, as though he could give energy and power to the stroke, by this mute, but expressive action of his own back.

At length the last blow was struck,—the last entanglement severed; and freed from the momentary restraint, her head averted from the wreck, the beautiful vessel was rising with renewed wing to the swell of the agitated ocean, when a general cry of commiseration arose from the deck, for one of their gallant preservers had lost his hold, or his fastening, in that violent lurch of the ship, and plunged, like a falling star into the all absorbing flood.

The eye of Maurice Randolph happened at that instant to be fixed upon his fellow laborer; so that twisting round his arm the extremity of the rope, which had so lately failed in his grasp, he reached the surface of the dark and boiling ocean, almost simultaneously with him, and seizing him by the collar of his coat as he rose an instant to the surface, directed his grasp to the rope he himself held, but which the violence of the sea threatened to sever him from momentarily. The instinct of self preservation was powerful in the drowning man: indeed, it appeared to absorb and annihilate for the while all his better impulses; for regardless of his generous preserver, whose life was in such imminent jeopardy, he appropriated to himself an unreasonable share of the means offered to his assistance, and seemed heedless whether in the violence of his struggles, he impeded or disconcerted the efforts of his fellow sufferer. Their case was most critical. It seemed almost impossible to offer them timely and effectual assistance. Ropes were flung out, but several times in vain; the turmoil of the waters and the heeling of the ship, frustrating the kind intention. At length Serjeant Dryford, who had a way of his own in most of his expedients, and was on fire with zeal in the cause of Maurice, succeeded in throwing a running noose over his head, and immediately hauled upon it, with a shout of delight, apparently unsuspicious of its effect upon the breathing apparatus of his friend. The resistance offered by two human bodies in such a surf, may be easily conjectured, yet though almost strangled by it, and aware, that more than half his pain and danger would cease by abandoning Cranford, he only locked his grasp the firmer upon the rope on which the latter depended; and endeavored to twist it so around his waist, that even if his senses failed, it might not be loosened.

'Now hang the lad, exclaimed the worthy serjeant, hauling with might and main, 'he's too kind by half to that thankless surly dog, Carnford, begging his pardon, for my superior officer. I'd like to know, when the t'other would take such a plunge for him?—we shall pull his head off to a dead certainty if he don't let go. I thought I felt it giving awhile ago. Pully hohoy: here lend us a hand Mr. Towser; you've a right strong elbow of your own.'

'Easy, easy there,' replied Towser, 'or you'll squeeze the young gentleman's wind pipe, till we'll have to open it again with a marline spike.'

'All the better, all the better, man alive, the less chance of any of that shocking salt water going down. It's that poisons all the poor fellows as falls overboard, in my opinion. Pully, ho hoy!'

'You'll pull his figure head off, and that's my opinion,' growled Mr. Towser,' however if it must be, it must be so, pully, ho, hoy!'

The consequence of all this may easily be imagined; by the time Maurice reached the deck he was quite senseless, and knew not it was the- [illegible] ever, exerted himself in vain,—his grasp, seale- [illegible] with all the determination of his mind, while he retained consciousness, continued mechanically glued to the rope, Carnford was drawn out comparatively unscathed by his fearful accident.

Meanwhile the vessel had left the blazing wreck several roods behind. The crew and passengers began to breathe and to congratulate themselves upon their wonderful escape; and released from the burthen of selfish apprehension to recur with fresh commiseration to the fast approaching fate of the heedless beings who still held their bacchanalian orgies on the fated deck, or slumbered in stupid and beastly indifference on the confines of eternity. The vessel presented a grand though terrific spectacle. The flames spouting through every port or aperture of the forepart, were inflected together by the wind, over the deck, which again disserverring their volume, tossed the upper flakes wildly among the masts and sails, until the latter which had hitherto resisted the conflagration from being saturated with the spray of the waves, at length yielded to the furious element, rose in glorious though short lived pyramids of fire to the skies, and then faded at suddenly and completely upon the sight; while the crackling of the higher masts was heard like the whirlwinds course among the leafless mazes of the forest, as their rigging severed, like flax they fell with one accord over the ruined bulwarks. And ere the crash of their destruction died away, the whole pageant, was confounded in the overpowering flash, the volleying jetting flames, and lurid glare of the deadly volcano, which for a few brief moments extended its sceptre, over all the visiable universe, giving to the cloudy masses above, and the troubled wilderness of black waters beneath, a dire ensanguined hue. The distance for a while retarded the shock of the explosion, and the majestic silence with which the flames and illumined fragments mounted to the skies, describing each its own curvilinear track through the darkened fields of space, while horror, or fancy, conjectured in each, the shattered remains of what but lately had been a living man, added greatly to the overpowering terrors of the scene.

The spectators were variously affected, according to their different degrees of sensibility or imagination. The most remarkable was that of a man hardened by a long course of guilty habits, whom the excitement of the danger had aroused to all the more generous impulses of his nature,—the identical seaman who had been so instrumental in the succour of the female. Throughout that fearful night he had displayed the most energetic heroism, in the rescue of his ship-mates, and his forbearance of the frequent opportunities which his own great presence of mind, strength and skill afforded him of escaping the impending destruction to the prejudice of others, less gifted than himself. Since reaching the deck of the friendly vessel, he had leant over the bulwark absorbed in deep and settled attention of the devoted wreck, and regardless of the kind offers of relief and refreshment. As the last blazing [illegible] ments dropped into the bo- [illegible] ing here and there but a [illegible] glorious torrent of flame [illegible] tream of anguish that w- [illegible] in the pause which succ- [illegible] their terror and anx- [illegible]

upon his knees on the wave lashed deck, exclaimed in a voice almost smothered with the violence of his emotions:—'If the prayer of such as I have been, *can* find acceptance before thee, Great Governor and Preserver of Men, hear me I implore thee, rather to strike me dead in an instant than hereafter to abuse such goodness as this.' From that hour Rupert Bourne became an altered character, as remarkable for his determination in the pursuit of good as hitherto he had been in a contrary cause; and if his words were felt at the instant to express the moral which each bosom would deduce from the occurrences of the passing hour, his life was the most eloquent elucidation of its practical tendency.

The storm passed away with the shade of night, and the morrow dawned upon a calm heaven, and, a sea, which though not recovered from the agitation of the late storm, was fast rolling its violence away. But not so easily faded from recollection the horrors of that tempestuous night. And there was not one of all the inmates of that vessel who viewed without the most painful of interest, the rose faded upon the cheek of Egeria Denham. Her exposure to the wind and deluging rain of the storm, in connection with the extreme excitement of the scene in which she acted so important a part, had been too much for a frame always delicate, for which the milder climate of the east had been recommended. She visibly drooped from that night, and the rude crew of the Sea Wanderer, in whom an education of hardship had blunted the more delicate sensibilities of the heart, without abating their power, beheld her like some fair and gentle spirit walking their deck in the languor of her declining strength, with sensations novel to their experience, of awe and enthusiastic love.

Since his return to the regiment as a commissioned officer, Maurice had been constantly in the society of his benefactor. Was it possible for too such beings as Maurice Randolph and Egeria Denham to live in the constant interchange of thought and feeling, to share the same pursuits, and admire the same authors, and reciprocate the same ideas; and not to feel for each other a sentiment stronger than friendship, and tenderer than regard?

They who deem that the faith of true love cannot be tried by temptation or put to severe ordeal by the absence of the beloved one, and the presence and intercourse of another almost equally lovely, and confessedly deny, we think its rank as a virtue is the foster child of danger, and cannot exist where temptation is unknown; and he who under such circumstances has never felt his heart beat quicker to the approach of so beatiful a supplanter, nor be conscious that her society was becoming too dangerously dear; nor driven to the resources of his better and deeper thought and remembrance, for the counteraction of an encroaching weakness, is a happy man, to doubt, and possesses an 'æs triplex circumpectus' that will shield him from many an hour's bitterness, and many a weary pang of timely or late remorse. He is, however, rather differently constituted from the young hero of this tale, who about this time awoke to the sense of a danger of the very existence of which he had never dreamed, and bitterly censuring his own incaution and condemning the infirmity of his heart, resolved to shun to the utmost the presence of his lovely friend, and to occupy himself when near her, in remembrance of his early and hopeless love.

The first part of this resolution was not so easy of execution as of design. His society had become in a manner necessary to his benefactor, and the delicate health of Egeria Denham gave a tone of tenderness, it was impossible wholly to conceal, to the most ordinary attentions of politeness while the congeniality of their thoughts and feelings was a bond of sympathy that unwittingly strengthened regard.

It was while ascending the Bay of Bengal, when the dark groves of Palm trees, and the darker bulk of the Black Pagoda had loomed in sight, that the young friends traversed together the deck of the vessel, beneath the fairy light of the young moon, and the softness of an eastern sky.

'A daughter's home' said Egeria,' is beneath the wing of her parent, yet there are times when I wish we had been suffered to remain in England. Why should we fly an enemy that can overtake us as easily as the arrow outstrips the speed of the deer? There is to my mind a sense of littleness in fleeing the approach of death, which gives additional bitterness to our natural reluctance to leave so beautiful a world. And where can death more appropriately find us, than in the spot where so many we have loved will mingle their dust with our own? It is a beautiful world that we inhabit. There is beauty wherever there is nature, and peace wherever the sunshine of heaven falls; but there is no ray so sweet,—no sunshine so peaceful as that which falls upon the heathery hills, and streams through the waving foliage upon the grassy glades of my native land. We are entering an untried region where poets have raised their imaginary Edens; but there is nothing to soothe in the thought of sleeping beneath a foreign soil which the step of my forefathers has never pressed, and' where my childish delights have never sprung.

'Doesn't she look like an angel? said serjent Dryford, nudging the heavy elbow of his gossip Mr. Towser. 'There, just now, that her blue eye is raised upwards, and looks like a tiny bit of the soft blue Heaven itself, just after the shower is gone!'

'It may be, or it may not,' replied Mr. Towser, lifting up his oil skin hat to have a more comfortable scratch at his poll; 'but then heaven, as poor Jemmy Ducks used to say, I'm not superstitious, and never saw a ghost nor an angel neither,—only, if they're any thing like her, I would n't mind how many of them were afloat. In my opinion that she saved the vessel out and out. Who ever heard of a ship doused in that way with lightning, tossed upon her beam ends, and tangled with a blazing wreck, not going to the bottom, before? You may say what you like Mr. Sergeant Dryford; but I don't believe the ocean'd have the heart to drown such as her, nor the lightning to harm the ship she sailed in; though heaven knows, both of'em has little enough conscience at times; witness poor Jemmy Ducks. Who now, would ever have guessed that he was to be killed by a thunder bolt? And all, because he would n't have the stuffed Albatross over board as I recommended.'

'I'm clean of opinion,' rejoined Serjeant Dryford, 'that it was all a mistake of the thunder, and so I said at the time. Poor Jemmy, had on a checked shirt and a night cap of mine which I made a present of to him that blessed day. I can't, as you well observe, be superstitious enough to believe the thunder would go for to kill such as Jemmy Ducks when there were half a score of his own cocks and hens nigh at the time.'

The next day when Maurice was sitting in his favorite haunt, the mizen cross trees, he observed the heavy figure of Serjeant Dryford, perambulating the rigging about him; but too much absorbed in his own reflections, scarcely heeded his proximity. At length the good Serjeant effected a secure landing upon the same point of rest, and looking about him cautiously for awhile, drew misteriuosly from his pocket a long coil of rope, neatly rolled up, and asked Maurice if he remembered it.

Unable to conjecture his meaning, the only answer was a vacant look which elicited the following explanation.

'You remember, Sir,—how should you ever forget the night of the storm when we had to thank you for more than I shall speak?—You remember too, a certain rope that gave way, and almost drowned you. This is the rope, and this is the end that was made fast to a block in the yard. You see it is whipped neatly to prevent its opening. Now look, Sir, at the other end and judge for yourself, whether it broke or was cut by a sharp instrument.

Maurice did look, and perceived, that the severed part wore the hard, clean, polished section which only a sharp instrument could have made; —he was startled, for the evidence too well corresponded with a painful and almost forgotten surmise.

'How can you be certain that this is the identical rope?'

First, because I had only that day been learning its name from Mr. Towser. Secondly because I saw Mr Carnford, make a blow with his hatchet, as I thought, when he came nigh it; upon which it gave way, and down you went. Third, because you caught the loose end of it when you jumped in to save him. Fourth because I stole it next morning in order to make certain, and have kept it locked up ever since.'

Maurice mused for awhile; but when would not a generous nature embrace any difficulty rather then the alternative of imputing to a fellow creature the vilest and deadliest of crimes?

'If,' at length said he, this is indeed, the identical rope, and has been severed by a sharp instrument, and that in the hand of Mr. Carnford; what is there so wonderful in the fact, when we all know how extremely difficult it was to preseve our hold for a moment, or to keep our thoughts collected? Here Serjeant Dryford, I toss it into the sea, and with it every unworthy suspicion, a token, that at the least could produce only the painfullest feelings, and might blemish the honor and peril the life of a brave and generous man.'

'Well, well, Sir, as you please; only mark my word for it Mr. Carnford's a dark and dangerous man. Beware of him Mr. Randolph, —beware! for he loves you not.

EUROPE.

LAWYERS IN PARLIAMENT.

We are now able to present our readers with a pretty complete list as well of the actual Members of the profession, as those who have recently belonged to us, who have been returned to Parliament, and the places which they represent. It will be seen that the present Parliament will by no means be, in the words of Lord Coke, "*Parliamentum indoctum* whereas no good law was ever made."

Abercromby, Right Hon. J.	Edinburgh
Aglionby, H. A.	Cockermouth
Beckett, Right Hon. Sir J.	Leeds.
Buller, C.	Liskeard.
Campbell, Sir J.	Edinburgh
Carter, J. B.	Portsmouth
Ewart, W.	Liverpool
Fergusson, Right Hon. R. C.	Kirkcudbright
Follett, Sir W. W.	Solicitor-General. Exeter.
Freshfield, J. W.	Penryn
Goulburn,	Sergeant, Leicester
Grey, Sir G.	Devonport
Harvey, D. W.	Southwark
Jervis, J.	Chester
Kelly, F.	Ipswich
Kennedy, J.	Tiverton
Lefroy, Serjeant,	Dublin University
Lennard, T. B.	Maldon
Lushington, Dr.	Tower Hamlets
Lynch, A. H.	Galway Town
Macleane, D.	Oxford Town
Nicholls, Dr.	Cardiff
Neeld, J.	Chippenham
O'Connell, D.	Dublin City
Pemberton, T.	Ripon
Pepys, Sir C. C. M. R.	Malton
Pollock, Sir F. Attorney-Gen.	Huntingdon
Poulter, J.	Shaftsbury
Praed, J. M.	Yarmouth
Pryme, R.	Cambridge
Rice, Right Hon. T. S.	Cambridge
Roebuck, J. A.	Bath
Rolfe, R. M.	Penryn
Scarlett, Hon. R. C.	Norwich
Shaw, Right Hon. F.	Dublin University
Sheil, R. L.	Tipperary County
Stuart, E.	Derby
Sutton, Right Hon. Sir C. M.	Cambridge University.
Talfourd, Sergeant,	Reading
Tancred, H. W.	Banbury
Tooke, W.	Truro
Twiss, H.	Bridport
Villiers, C. P.	Wolverhampton
Wilde, Serjeant,	Newark
Wilks, J.	Boston.

—*Legal Observer.*

THE UNFORTUNATE MAN.

BY CAPT. FREDERIC CHAMIER, R. N., 3 vols. LONDON: BENTLEY.

(*From the Athenæum. Jan.* 10)

The title of this work is aggravated in the headings to each page,—and the poor doomed hero is styled "the most unfortunate man in the world." In the perusal of the work, and to speak as an Irish critic might speak, we find matters get worse and worse—and that there are *two* most unfortunate men in the world. An uncle and a nephew alike "take arms against a sea of trouble," and suffer a destructive series of naval defeats. The one, the uncle, mutters, and murmurs under his miseries whenever he is encountered;—the other goes on wise, though wounded—a naval Job!

This work can be hardly called a novel; it comprises a series of sombre sea sketches, and sensible observations on life, and agreeable pictures from the portrolis, of a traveller. But as to the tale of the author, "Story, God bless you! he has none to tell, Sir!" Love attachments commence, leading to no results; characters are introduced only to be abandoned at caprice; and when we have arrived at the end of our three days march, for you cannot advance at a greater pace than a volume a day,) you find that half your army of martyrs have dropped behind you, without giving any explanation, of the cause of their joining or retiring from you. Like Cardinal Beaufort, most of them "die, and make no sign." We do not know that Capt. Chamier contends for the title of Novel being conceded to his work, for we have no prefatory introduction. But, as three volumes of exaggerated difficulties, occasional vivid descriptions, and honest, bluff sailor reflections; we should say that a reader who is not hard run for leisure, would do well to give them a perusal.

We will not consume our own time, or the time of our readers, by trying to piece out a plot. It is not to be done. A young gentlemen of the name of Robert Gaagam, full of mischief, is destined for the sea. When about to join his frigate, the coach starts without his body, but with his trunk, and he gets cajoled into a vessel which sails on a slave-speculation. The blessings of every sea change he experiences, and thence on go the usual allowances of sudden returns, stolen interviews, letters suppressed, and irritating jealousies. Much of the reader's time will be passed at sea, much in Russia, some in Paris, some in England. Indeed, the reading this work is like sitting down to a pantomime-panorama, in which various brightly painted, unconnected scenes, are passing before the eye.

The following description of a cruel manœuvre practised on board the slave vessel, to divert the chase of a frigate, will be read with interest, and give a not unfavourable specimen of the style of the work:—

"'It is a chance, and the only chance,' said the Captain 'and no one will care a pin about the business if we get away.

"'Oh yes,' said the mate, 'if we could only get away. Why, to be sure, I should not be so slack in stays myself, but that confounded vessel sails well, and we are evidently losing ground fast.'

"'Well,' said Smith, 'let the worst be the worst, that is our capture and the fore-yard arm. I will be responsible since your fear, and seeing, as I do, that the taking of the Rapid is at once the dawnfall of myself and family I am resolved to have one chance more of escape. If we can go on until night, the frequent squalls may allow us to try another manœuvre which may prove more fortunate than our last; and if the bait does not tempt sufficiently, why we are only saving one or two human beings from a life of misery.'

"'Well, said the mate, 'I'm agreed.—Forward there,' said he.

"'Sir,' answered a rough-looking fellow.

"'Jump down,' said the Captain, 'and hoist up one or two empty casks, and send the cooper aft with his tools.'

"'Ay, ay, sir,' responded a man with all the indifference of a sailor.

"The cooper soon made his appearance; in five minutes the empty casks were on deck, the heads of both were taken out, and the cooper set to work to cut out a circle large enough for a man's neck. The mate, who was a handy fellow at all work, began at one cask, and the captain stood by, urging the workmen to use every despatch. The breeze had freshened, and we held our own pretty well with the stranger; at any rate I was fearful that she did not gain upon us very rapidly. In the mean time both cooper and assistant worked away with the greatest indifference, and no human eye could have detected the slightest variation of countenance in the mate, although he was fully aware of the desperath act about to be committed. When the casks were ready, the upper hoops were taken off, so as to allow the cooper to place the heads in when required. A pig of iron ballast was fastened in each cask, and then it was that the mate said in a firm voice:—

"'Now, sir, we are ready. If you are still determined, d—n me if you shall ever say that John Collins was afraid when death was at hand.'

"The captain's son had been all along watching the movements of the cooper, but was quite in ignorance of the intention of his father. Once indeed he asked what was the hole cut in the head of the cask for; but he was told to be silent, in a tone of voice which set me shaking like a monkey in frosty weather.

"'Bring one of the slaves upon deck,' said the captain; 'and, do you hear? pick out the lively and a slim one.'

"The slave was brought unshackled upon deck: he looked round him with surprise, and yet with indifference; his eye was sunken from care and from sickness, and his poor emaciated form had qualified him to come forward in the capacity alluded to.

"'He's the liveliest we can find, sir,' said one of the seamen; 'for he was the only one who was talking, and I fancy he is as slim as any of the rest; but for that matter we shall have no trouble to find another.' * * *

"'Oh then,' said his son, 'try my black wife.'

"'Ah!' ejaculated the Captain.

"'That would do just as well,' said the mate; 'so bring her aft, here you're not the first in the world who would like to get so sure a divorce.'

"Away went that incarnate devil, and in two minutes he was seen lugging along his miserable victim by the hair of the head: one or two more of that sex came on deck, but were instantly sent below again.

"'Here, you Ganjam, jump in the cask, and show this young lady how she is to sit; for none but the devil can talk the negro language.'

"I did as I was desired, and then got out again. The girl was then told to do as I had gone; but she hesitated, as if warned by some unseen power of the danger which awaited her. As she could not succeed the first time, I was desired to place her properly, which I did. The cooper was told to fix the head in fitting the part about her neck.

"'Come, down with you,' said the mate; 'now, cooper, fix on her necklace, and take care it does not fit too tight, for she is going into strange company.'

"The remorse of conscience which had at first exhibited itself in this worthy associate of the Captain's, had entirely vanished; like many others who, having made one false step, from that instant fly to the other extreme. Thus we not unfrequently see women whose virtues have been sacrificed, suddenly assume the open countenance of vice, and, from being modest and reserved, become shameless and impudent.

"The last stroke of the mallet had driven home the upper hoop of the cask; the poor girl, who imagined, perhaps, that some kind of amusement was to follow, kept laughing and smiling, and vainly endeavoured to make us understand her delight, as she poured forth a volume of words. The Captain had walked aft and called the mate; the stranger had evidently walked so much, that in two hours she would have had us under her guns; and, after remarking this aloud, the former said, 'Well, it is our only alternative but, used as I am to scenes of horror, I cannot bear to see a person smile, when such a chance awaits them.'

"'The stranger,' said the master, is right astern, and it is impossible for them not to see the cask; now let us see if *their* Christian charity can overcome their love of prize-money. If you intend to do it, we have no time to lose.'

"'Do it!' said the Captain.

"The mate walked to the gangway, and put the cask close to the side. It was now that the poor imprisoned wretch imagined her destiny; she gave a shriek so loud and piercing, that every slave below startled at the sound, and, ere she could continue her loud cry for mercy, the mate and one of the seamen had lifted the cask clear of the side, and vibrating it once and twice, the third time they relinquished their grasp, and the poor creature, who had been sold to enrich others, now found herself the victim for their security.

"The cask," when it fell into the water, twirled round and round with fearful rapidity, but, owing to the ballast, it always kept end up, leaving the girl's head plainly visible. Her eye, whenever the twirl of the cask allowed it to rest on the ship, had more of imploring mercy than the words of the most frightened convict; she screamed for pity—alas! pity was not known to those who had purchased her life;—flight, safety, was the only thought which occupied her half-murderer's mind. The freshness of the breeze, the noise occasioned by the rapidity of the vessel's way, soon predominated, and the shriek of the negro girl was lost in the distance. The eyes of the crew now rested on the cask; the Captain kept his glass steadily fixed on what the mate called the water nymph and a quarter of an hour would decide the fate of the girl, the Rapid, and the Captain. Then was conjecture at its utmost. The cask being small appeared at a greater distance than the stranger, and as, from the slight variation in steering, and the sand of the sea, the cask was to leeward of the vessel, it was imagined that either the negress had passed unseen or was left to inevitable death the spirit of gain have predominated over the spirit of charity. But it was only the fears of the villains which have harboured such an idea for sailors are generally the most humane beings alive, and, when a woman is concerned, they would risk more than almost any of the biped race.

The dinner with the Empress Mother of Russia is, we presume, a sketch from life, and is tolerably well done. There are also a couple of decent duels in the course of these volumes.

Before quitting the work, we cannot refrain from observing that the narrative style in which it is written, is not [illegible] managed. The first chapter des[illegible]ces with the knowledge of a man and the hero details, scenes, characters, and even conversation which happen at home while he is at sea, with an impossible accuracy. There are a few trifling faults of style scattered about the work which are too unimportant to particularize then. We observe at page 66 of the 1st volume, that the author, at the end of his quotation, gives to Cumberland property which belongs to Congreve. We hope the gallant Captain will be fortunate enough to have an opportunity in a second edition of carrying through his pages a careful eye and correcting hand.

VESUVIUS.

(*From the Times, January* 19.)

EXTRACT OF A LETTER FROM SORRENTO AT THE MOMENT OF THE LAST ERUPTION OF VESUVIUS.

By this time you must have heard many accounts of the late eruption of Vesuvius, yet I hope the description of an eye witness may not be uninteresting to you. For two successive nights I had watched the mountain from our terrace, whilst it presented a most grand yet awful spectacle. A new crater having burst on the side towards us, a stream of red-hot lava issued from it in the direction of Castellamare, spreading itself over several miles in a few hours, its course being marked by flames rising in volumes from the ground over which it flowed. As soon as this devastating torrent reached the vineyards at the foot of the mountain, a pale flame rose at intervals from the stream, indicating, as was supposed, the burning of houses and trees. The heat occasioned by this body of fire was felt at Sorrento. I proceeded with my party by sea to Torre del Greco, where the swell was so heavy that I was compelled to change my intention of landing, and row for Castellamare, where the surf did not prevent me. Here I was told there was no chance of procuring a carriage of any description, all having been engaged to convey other inquisitive persons to the scene. I resolved to wait the chance of a carriage returning from Naples, and was fortunate enough to hire one. I first drove to Pompeii, then turned off by a road, or rather a lane, through vineyards and orchards, and which became at length so narrow that we got out, and proceeded two miles on foot, till we reached the spot to which the lava was rapidly advancing, being about half-past 10 o'clock p. m. In its course the stream of lava ran through the richest vineyards, and at this moment it was completing its work of destruction in the village of Capo Secco, once, consisting, I was told, of 500 houses, now reduced to four; one of which was that of the curate, more spacious, and perhaps more

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solid than the rest. It is scarcely possible to imagine, much less to describe the awful character of the scene. An immense body of liquid fire silently, yet rapidly advancing, then the noise of falling poplars encircled by clustering vines laden with fruit, with the glare reflected upon us from the flowing lava, produced altogether so terrific an effect that I was at first more inclined to a hasty retreat than to continue watching the progress of destruction. When however the first impression of terror was over-come, such was the fearful interest of the scene, that I remained on the spot two hours and a half, and it was even then with reluctance that I quitted the spot. According to the computation of Salvator, the "capo cicerone," the stream of lava must have been a mile and a half broad, whilst its extent from the crater was nine miles with a depth of 30 feet, so that instead of commencing with the base of the house, it approached and flowed at once over their roofs; entering the doors and windows till the whole were buried, the roofs first falling in with a loud crash. Three houses were thus destroyed whilst I stood on the spot: here the lava flowed into a well, causing the water to boil up over the edge. The heat was too intense to stand within a few feet (for a moment) of the advancing lava. The King and Queen and the Court, as well as a throng of persons of all classes, groups of villagers, the unhappy owners of cottages and vineyards now no longer theirs, were at the same time spectators. On the preceding night the lava had flowed at the rate of 20 feet in 11 minutes, but now was somewhat less rapid in its course. The inhabitants had time to save all moveables, and for a distance of some miles from the course of the lava the houses had been prepared for destruction, even to the removal of doors and windows. I was much struck by the apathy, or it might be the resignation of the peasantry, most of whom spoke in terms of indifference or resignation. One I heard say, "Pazienza! pazienza! e un castigo di Dio?" One poor woman, however, as the lava approached her threshold, presented a poor picture of despair, screaming and tearing her hair with all the violence of Neapolitan feeling. I was told that a man, as the lava approached, tied an image of the Virgin on the nearest tree, believing by her influence to arrest its course; after silently witnessing the destruction of the tree, with its Madonna, he departed, satisfied that as not even the Virgin had been respected, he had only to submit. Another, with less philosophy, or less faith, unable to witness the destruction of the trees he had planted and fostered, in despair threw himself in the lava and was destroyed. This was the only case of loss of life. I heard that his faithful dog could not be induced to quit the house, and perished with him. The terrified birds were hovering around the burning trees in the greatest trepidation.

The old crater had fallen in, and continued for a week smoking and throwing out ashes in vast quantities, as to envelop many neighbouring districts in darkness. You remember my sending you in one of my letters a small portion of the dust which had fallen upon our furniture during the time the mountain continued in action, and which must have fallen a distance of 12 miles; the dust was so troublesome during that week, that we could keep nothing free from its effect. According to Salvator, the lava, which continued flowing more or less for six days, destroyed about 300 acres of valuable land, and injured or destroyed nearly 800 houses. At 2 o'clock a. m. I returned to Castellamare, the road being crowded with persons of all classes, some bearing torches, some in their night-caps, others bearing off their furniture or vine-poles, anxiously predicting on most countenances, as none knew where the lava might next reach. Pompeii was considered not so far from the danger of a second interment. Naples herself not exempt from risk; such were the terrors of the moment.

COURT OF KING'S BENCH.

EXTRAORDINARY SCENE.—O'GORMAN MAHON COMMITTED FOR CONTEMPT OF COURT.

THE KING V. WIGLEY.

This was an indictment preferred by O'Gorman Mahon against the defendant, a solicitor, charging him with having committed perjury. The perjury was obliged to have been committed by the defendant during the progress of some proceedings in Chancery.

The ATTORNEY GENERAL stated the case for the prosecution, and was about to call witnesses, when

Mr. Justice Coleridge (who sat for the Chief Justice) intimated that he was clearly of opinion that if the Learned Counsel proved all the facts he had stated in his opening, then there would not be sufficient evidence to support the indictment.

The Jury, under his Lordship's direction, found a verdict of not guilty.

The parties then left the Court, but in a moment afterwards the greatest noise and confusion was heard. One of the officers entered the Court and stated that O'Gorman Mahon had committed a most violent assault on the defendant. Mr. Justice Coleridge directed all the parties to be brought before him.

In a few minutes the friends of the different parties entered the Court.

Mr. Justice Coleridge then examined several witnesses. It appeared from their testimony, that the friends of the defendant rushed against O'Gorman Mahon in the passage of the Court and used insulting and abusive language towards him, evidently with the intention, as they believed, of provoking a breach of the peace. O'Gorman Mahon and Mr. Wigley left Court together, and the former, exasperated by their abuse, levelled a tremendous blow at the head of the latter, which felled him to the ground. Mr. M'Cann, the surgeon, of Parliament-street, was immediately sent for and after examining Mr. Wigley, he stated that that gentleman had received considerable injury. With such violence had the blow been given, that it had fractured Mr. Wigley's jaw bone.

O'Gorman Mahon said he did not wish for one moment to deny the assault, of the extent of the injury. The defendant and his friends had heaped upon him every species of abuse, and his feelings were in consequence much excited. If he had offended against the dignity of the Court, he should bear the punishment without murmuring.

Mr. Justice Coleridge then said—I have examined all the witnesses who could give information relating to this transaction, and I am bound to say that a violent assault having been committed (almost within the walls of the court) is a gross contempt of the dignity and authority of the Court itself. The Court is bound to protect all suitors. I have, continued his Lordship, asked questions of the witnesses for the purpose of ascertaining whether Mr. Wigley put himself into a hostile attitude or not. It appears, however, that he did not. If he had, as an officer of the Court, he would have been subject to more severe censure and greater punishment. There is no used on both sides. Mr. Wigley and his friends acted very improperly in using such language, but that will not justify a gross contempt of the dignity of the Court. I am therefore, bound to order that you, O'Gorman Mahon, stand committed for contempt of this Hon. Court.

O'Gorman Mahon bowed to his Lordship, and said he should submit to any punishment without repining. He was then removed in custody of the officer of the Court.

In a few minutes afterwards Mr. Justice Coleridge directed O'Gorman Mahon to be brought again into Court, which being done, his Lordship said he had sent for him to explain that persons committed for contempt of that Court were imprisoned for only three days. At the expiration of that term, therefore, he would be discharged, and would be equally protected from arrest on returning from the prison to his own home, as he would have been had he left that Court direct.

O'Gorman Mahon was then removed in custody. The whole proceeding excited the most intense interest, We have been informed by Mr. M'Cann that Mr. Wigley was so severely injured that it will be a length of time before he will again be able to masticate his food or attend to business.—*Courier, Feb.* 9.

THE EUPHRATES EXPEDITION.

The George Canning, the transport in which Colonel Chesney and his detachment are embarked, lay at anchor in the road, about a mile from the town of Liverpool. The tide was running four miles an hour—it was blowing a gale of wind—and there was so much sea that it has been stated by a most respectable eye-witness, to have been unsafe at the moment to lower a boat. A steamer had gone off to the George Canning with the powder, and was lying alongside. Under the circumstances [illegible] officer, in endeavouring to pass from one vessel to the other, fell overboard, and was swept rapidly away by the current. A young officer of the expedition, Mr. Fitzjames, R. N., late of H. M. S. Winchester, hearing the noise looked overboard, and saw the unfortunate man encumbered with a heavy Flushing-coat, struggling in the tide. Mr. Fitzjames, dressed as he was, with great-coat, boots, &c., without a moment's hesitation, jumped overboard, and, to use the words of a very unaffected letter of his own which we have seen, "almost without a thought about the matter, I soon found myself swimming after him at a great rate. I came up with him, and having ascertained that he could not swim, and cautioned him, and having earnestly told him not to take hold of my legs, I caught him by the hair and the collar, and getting behind him kept his face above water till we were rescued, by which time we had been carried more than half a mile."

In this brave young man, then, do we see a specimen of that dauntless character which distinguishes our countrymen, whether they be found under red-coats or blue—champions, who have made England the Queen of the ocean, and the arbitress of nations, and as such will maintain her so long as free institutions shall foster rising worth and reward noble deeds.

Mr. Fitzjame's gallant conduct has, we observe, already met with its best recompense in the warm approbation of many of our generous countrymen, expressed in different ways.

Several members of the corporation of Liverpool having from the steam-vessel witnessed this intrepid act, and justly estimating it, a vote was proposed on the following day, which was carried as it were by acclamation, conferring on Mr. Fitzjames the freedom of the city; and some of the noble minded merchants of the place, presented him with a very beautiful silver cup, having on it an inscription highly complimentary and gratifying.

The London Shipwreck Institution has also bestowed upon him their silver medal:—"In consideration," they state, "of his very laudable conduct in saving the life of a fellow-creature at the evident hazard of his own." Besides this, the Committee of the Royal Humane Society has unanimously recommended "the heroic conduct of Mr. Fitzjames to the consideration of the Annual General Court of the Institution;" and this recommendation will, without question, be followed by the vote of that honourable distinction conferred on those who preserve life.

We subjoin copies of some of the letters which have been addressed to this young man or to his friends on this occasion, which cannot fail deeply to engage the public feeling, as in some degree connected with, and we trust promising an auspicious commencement to, the Expedition of which he is a member.

(Copy.) "On board the George Canning; Liverpool, 1st Feb, 1835.

"My Lord,—The weather has been such during the last two or three days, as to retard the final embarkation of the Euphrates' stores, more particularly the ammunition, which, according to the regulations of this port as well as a matter of precaution, must be taken in at some little distance from the town.

"Whilst a small vessel was alongside with the powder, one of the men employed fell into the river, and was immediately carried rapidly astern. The current at the moment was running about four miles an hour, and therefore the man must, in all human probability, have perished before the boat could have been manned to go to his assistance, had it not been for the intrepid conduct of one of the officers of the expedition, Mr. Fitzjames, who jumped into the sea, just as he was embarrassed with a great-coat, hat, &c., and having a valuable watch of M'Cabe's in his pocket; but, regardless of this circumstance, he swam to the man's rescue, and supported him by the hair, till both were picked up by the boat.

"I think your Lordship will not only be glad to hear the result of this occurrence, but enter into the joyful feelings of every one composing the Expedition, in being thus saved from such an untoward circumstances as the loss of a life in the outset of our undertaking.

"Mr. Fitzjames is a passed Midshipman, who joined the Expedition from his Majesty's ship Winchester.

"I have the honour to be, my Lord,
"Your most obedient, humble servant,
"F. R. CHESNEY.

"To the Right Hon. the Lord Ellenborough.
President of the Board of Control, &c. &c. &c."

(Copy.) "Liverpool, 6th February 1835.

"My dear Sir,—It is highly satisfactory to me to have been requested to solicit your acceptance of the piece of Plate accompanying this letter, on which there is the following inscription:—

'Presented to
Mr. FITZJAMES, R. N.,
of the Euphrates Expedition,
By
His Friends in Liverpool,
As a token of their Admiration of
His gallant Heroism
in saving a drowning Man in
The River Mersey,
on Sunday, 1st of February, 1835.
At the imminent hazard of his own life.'

"This testimonial is the gift of a few members of our Exchange News' Room, who regret that your hurried departure from this port deprives them of the means of gratifying their feelings by a more suitable expression of the respect and regard they entertain for you.

"They have selected me for this office, as one of your earliest friends here, and a witness of your humane and noble achievement on Sunday last.

"I am, my dear Sir, your's very sincerely,
"GEORGE LEWIS.

"To Mr. Fitjames, of the Euphrates' Expedition, on board of the Transport George Canning, Port of Liverpool."

We are happy to introduce the following incident, in connexion with the expedition just referred to.

Mr. Editor,—Captain Chesney's recent survey of the Euphrates, and the present attempt to open a steam communication with India by that route, have directed the public attention towards that part of Asia, and some allusions have been made to the misfortunes of a party who, a few years ago, were on their journey overland from India. I am induced to send you an authentic account of that melancholy affair of which only garbled extracts have as yet appeared in the public print. If honour, as defined by Lord Byron, be "the having one's name wrong spelt in the Gazette," we have had a share. As, however, I for one am not sensible of that sort of honour, but had rather see a true narrative in your esteemed Journal, the insertion of the following statement will oblige, Sir,

Your obedient humble servant,
W. C.

"In the summer of 1830, a party consisting of Mr. Taylor (brother to Major Taylor, the Resident at Bagdad), Mr. Bowater, Mr. Hull (Madras European Regiment), Eliot, and Captain Cockell (23d Regiment), found themselves detained at Mousul, by the exceedingly unsettled state of the roads, which were swept by parties of the Arabs living in the mountains of Singar. These heights skirt the plain lying between Mousul and Mardin, the next place of safety. The three first gentleman and Capt. Cockell were on their way to England; the other two were going to Birr, with the intention of Surveying the Euphrates from thence downwards. After a delay of a month to three of the party,—of fifteen days to the others,—a favourable opportunity presented itself for a start, in company with a Cabjee Bashi, bound to Constantinople with the treasure of the late Pasha of Mousul. This functionary having lately been shot by order, his treasure reverted, according to the custom in like cases, to the Grand Seignor.

"Accordingly on the 7th of August in the afternoon, they quitted Mousul escorted by a host of armed men: and having slept two or three hours near a stream, they reached a place called Jaraffa, a distance of twelve hours, the following morning. Here some difficulties were started by the escort, and they had to pay 200 piasters over and above their agreement with their Tartar. At length on the 9th at nine o'clock in the morning they started again. They reached the last spring before crossing the plain of Singar, at one P. M.; and having refreshed themselves and their horses, put themselves again in motion at half past three. They continued their march along a dry and level plain covered with grass burnt up by the heat of the sun, with the mountains of Singar on their left; and on their right in the distance those of Koordistan, on the other bank of the Tigris. At sunset they halted an hour to feed the horses, and again went on.

"It must be confessed that as darkness set in they did not feel comfortable, and more especially when they became aware of a beacon burning on the Singar mountains, which they could not help looking upon as ominous, and which they had afterwards reason to believe was the signal for assembling the enemy. They travelled in comparative silence: about eleven the moon rose, when shortly after there was a stoppage and a demur about the road, which some said they had lost. This was another source of misgiving: for, to men accustomed to travel more by night than by day, how could such a circumstance happen? They, however, continued their route and came presently to a dry swamp in which the horses sunk up to their fetlocks, and the caravan, consisting of a guard of 300 men, exclusive of followers, became enveloped in such a cloud of dust, that it was almost impossible to breathe. After floundering about for an hour, it seemed universally agreed that they had lost their way; and as they came to one of the small hillocks (tumuli) which rise out of the plain, it was settled that they were to dismount and repose till daylight.

"Scarcely were they laid down, when shots were heard and the cry was that they were attacked. They all, of course, made for the top of the hill, and waited the return of a mounted party of the escort who were gone out to ascertain the numbers of the enemy. After some little firing, and a few shots passing over them, the party returned and said they must fly; and immediately, amid the most horrid noise and confusion, a flight was commenced. At this time their party was all together, and close to the Cabjee Bashi, who was in the most tremendous fright; and under the presentiment that the loss of the treasure and the loss of his head were synonymous, he seized hold of a musket, and if it had not been taken from him, would have discharged it at the very man who was most occupied in trying to inspire him with courage and resignation, to his fate. In vain they assured him that Inshallah! Inshallah! all would yet be well. At length they seized hold of his horse's rein and led him away at gallop.

"Their Tartar now called out to them to follow him. In descending the hill Captain Cockell's horse, which was without its bridle, lost in the confusion, stumbled and fell. Several shots were at this time fired at the top of the mount, and fearful of being taken by an enemy that spared not, he foolishly relinquished his horse and ran forward on foot. He passed Mr. Bowater, who was on horseback, with a double-barrelled gun in his hand; who looking behind; called out to him that he was done for.

"Providentially, however, as he got clear of the dust, he came up to a man who was in the act of mounting a horse, and held in his hand the rope of another, which had thrown his baggage, Captain Cockell jumped upon it without speaking a word. The man, after looking a moment, threw him the rope, and he was soon up with the flying cavaran, when he rejoined Mr. Hull and Mr. Eliot. They continued to fly until daybreak: for, whenever they subsided into a walk, and began to collect their courage, a few shots in their rear set them off again at a gallop, amidst spouts of Allah! Inshallah! and so forth.

"There is no saying how long they would have continued their flight, so completely had fear taken possession of the whole party, had not a tall gaunt figure, like a wizard of old, suddenly placed himself in the front, and addressing, with outstretched arms, the escort, brought them to a halt. They now went in search of their absent friends, Messrs. Bowater, Aspinall, and Taylor, but nothing was to be seen or heard of them; and the began their march back to Jaraffa, the place whence they came, which they reached about five P. M. on the 10th, having been twenty-six hours on horseback. They still hoped their friends would make their appearance, and that they should all be 'quittes pour la peur.' Their first care was to send to Singar offers of ransom, should they have been made prisoners: but the envoy returned with the melancholy account of their death. From what he said, it appeared that on the approach of the Singarees, one of the party had fired his pistol and killed a Singaree, said to be a Shaik, which was immediately followed by the death of the slaughterer who must have met his in attempting a rescue, as he was both well-mounted and well-armed.

"It was with no light hearts that the three survivors retraced their steps to Mousul. Mr. Eliot returned to Bagdad, where he is residing at the time. The two who remained, after lamenting their lost friends, took courage at the cry of Allah Allah! constantly resounding their ears; and after a rest of two days again started over the same track,—this time with a diminished escort of ten men, and made good their way, if not without incident, at all events without accident, to Mardin, and eventually to England,"—*United Service Journal, for March.*

Miscellanea.

THE CAPYBARA.—On Friday one of these rare and singular animals was forwarded to the Surrey Zoological Gardens from Bristol, where it had arrived from South America, having been taken on the banks of the Amazon, where it is called the river or sea hog. It is a thick-set clumsy animal, the head and neck singularly large, and is remarkable for being devoid both of the tail and the clavicle, which striking characteristics caused Cuvier to form his genus Hydrochoerus. They take up their abode in the extensive forests of South America, in the neighbourhood of water, concealing themselves in burrows; they swim and dive exceedingly well, and their habits and mode of living strongly resemble those of the beaver. The present specimen is quite tame and domesticated, and will form an interesting object to the visiters of these gardens.

ENGLISH ENGINEERS.—The viceroy of Egypt was written a flattering letter to Mr. Brunel inviting him to Egypt, to examine the banks of the Nile, and to forward the works now in progress for clearing its course by his counsel and experience. If Mr. Brunel decline, he is requested at least to recommend another engineer. It was Marshal Marmont who suggested this step. Mr. Glegg, a distinguished engineer, and the inventor of the gas metal, has been appointed by the Portuguese government to the superintendance of national works in progress especially and immediately the fitting up of the royal mint. Mr. Samuel Glegg, jun., will, in all probability, remain for a considerable period in the Portuguese capital to inspect the progress of the works. The *Swabia Mercury* of the 10th inst. has the following:—"As the construction of a stone or chain bridge over the Danube, to join the Hungarian towns of Pest and Ofen, has met with many difficulties, a tunnel of communication, similar to that under the Thames, is thought of. Count Szcheny, to whom Hungary is under many obligations, and who has been actively concerned in other works for the improvement of the navigation of the Danube, and the establishment of steam-boats to the Black Sea, is about to proceed to London, to confer with Mr. Brunel on the subject.—*Atlas.*

Mr Richard Gathorne Burt, the companion in misfortune of the Earl of Dundonald (better known as Lord Cochrane), was liberated from the fleet prison last night, after a confinement of *five years and two months*, for the sum of *sixty four pounds, five shillings*, debt and costs.—*Morning Herald.*

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